

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

GREAT BOWERY INC d/b/a
TRUNK ARCHIVE,

Plaintiff,

v.

CONSEQUENCE SOUND LLC,
CONSEQUENCE MEDIA
GROUP INC.; and DOES 1
through 10 inclusive

Defendant.

Case No. **9:23-cv-80488**

INDEX OF EXHIBITS

TO ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

Plaintiff Great Bowery Inc. d/b/a Trunk Archive hereby submit the following exhibits in support of their Motion for Summary Judgment:

Exhibit Tab	Declaration Annie Leibovitz
1	Kylo Photograph
2	Smuggler Photograph
3	Millennium Falcon Photograph
4	Nyong'o Photograph
5	Dameron Photograph
6	Force Production Photographs
7	Registration Certificate VA 2-056-929
8	Empire Photograph

9	Holdo Photograph
10	Rey and Chewy Photograph
11	Red Lightsaber Photograph
12	BB-8 Photograph
13	Connix Photograph
14	Skywalker Photograph
15	Canto Bright Photographs
16	DJ Photograph
17	Blue Lightsaber Photograph
18	Last Jedi Production Photographs
19	Registration Certificate VA 2-111-252
20	Lando Photograph
21	R2-D2 Photograph
22	Hux Photograph
23	Finn Photograph
24	Battle Photograph
25	Rey Photograph
26	Bliss Photograph
27	ROS Production Photographs
28	Registration Certificate VA 2-192-380
29	Artist Agreement dated November 12, 2024
30	Article appearing in Vanity Fair dated May 4, 2015, and titled “The Cast of <i>Star Wars: The Force Awakens</i> in <i>Vanity Fair</i> ” (“2015 Vanity Fair Article”)
31	Article appearing in Vanity Fair dated May 24, 2017, and titled “See Annie Leibovitz’s Exclusive Cast Portraits of <i>Star Wars: The Last Jedi</i> for <i>Vanity Fair</i> ” (“2017 Vanity Fair Article”)
32	Article appearing in Vanity Fair dated May 22, 2019, and titled “ <i>Star Wars: The Rise of Skywalker</i> Photos: Meet the Characters and Go On Set” (“2019 Vanity Fair Article”)

Exhibit Tab	Declaration of Jennifer Rockwood
33	Article appearing on www.consequence.net dated May 4, 2015, and titled “Details for Star Wars: The Force Awakens surface in Vanity Fair shoot – watch” (“Force Awakens Article”)
34	Article appearing on www.consequence.net dated May 24, 2017, and titled “Details for Star Wars: The Force Awakens surface in Vanity Fair shoot – watch” (“Last Jedi Article”)
35	Article appearing on www.consequene.net dated May 22, 2019, and titled “Star Wars: The Rise of Skywalker details and photos surface in new Vanity Fair cover story” (Rise of Skywalker Article”)
Exhibit Tab	Declaration of Taryn R. Murray
36	Plaintiff’s Complaint
37	Defendants Consequence Sound LLC and Consequence Media Group’s Answer and affirmative defenses
38	Defendant’s Responses to Plaintiff’s Request for Admissions (“RFA”)
39	Defendant’s Response to Plaintiff’s Interrogatories (“ROGS”)

DATED: May 10, 2024

Respectfully submitted,

s/ Taryn Rose Murray

Taryn Rose Murray, Esq.

*Admitted Pro Hac Vice***HIGBEE & ASSOCIATES**

1504 Brookhollow Dr., Ste 112

Santa Ana, CA 92705-5418

(714) 617-8340

(714) 597-6559 facsimile

tmurray@higbee.law*Attorney for Plaintiff***/s/ Melissa A. Higbee**

Melissa A. Higbee, Esq.

State Bar No. 62465

HIGBEE & ASSOCIATES

1504 Brookhollow Dr., Ste 112

Santa Ana, CA 92705-5418

(714) 617-8340

(714) 597-6559 facsimile

tmurray@higbee.law*Attorney for Plaintiff*

Exhibit “1”



Exhibit “2”



Exhibit “3”



Exhibit “4”



Exhibit “5”



Exhibit “6”





Exhibit “7”

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Karen Lewis Claypoth

Acting United States Register of Copyrights and Director

Registration Number

VA 2-056-929

Effective Date of Registration:

October 17, 2016

Title

Title of Work: Vanity Fair, 2015

Previous or Alternate Title: Group Registration of published photographs: 39 photos; publication dates range 3/01/2015 - 12/01/2015.

Content Title: Amy Adams, Channing Tatum, Reese Witherspoon, Eddie Redmayne, Felicity Jones, David Oyelowo, Benedict Cumberbatch, Sienna Miller, Oscar Isaac and Miles Teller, Los Angeles, 2014 (approx. March 1, 2015)

Evan Spiegel, Michael Bloomberg and Jonathan Ive, San Francisco, California, 2014 (approx. March 1, 2015)

Yuri Milner, David Zaslav, Richard Plepler, Elon Musk, Andrew Ross Sorkin, General Keith Alexander John Haring, Kevin Mandia, John Doerr, Senator Rand Paul, Jonah Peretti, Kara Swisher, Shane Smith, David Carr, Jenji Kohan, Matthew Weiner, Robert King, Michelle King, Mike Judge, Preet Bharara, San Francisco, California, 2014 (approx. March 1, 2015)

Mayor Edwin Lee, Amanda Burden, Jeremy Stoppelman, Tony Hsieh, Senator Kirsten Gillibrand, Kamala Harris, Katie Couric, Melody Hobson, George Lucas, Irving Azoff, Tom Freston, Daniel Ek, Rem Koolhaas, Tony Fadell, Susan Wojcicki, Anne Wojcicki, Jack Dorsey, San Francisco, California, 2014 (approx. March 1, 2015)

Eric Schmidt, Bob Woodward, Astro Teller, Max Levchin, Jessica Lessin, Gwynne Shotwell, Emily Chang, Brian Chesky, Ben Silbermann, Sophia Amoruso, Bob Iger, Marc Andreessen, Laura Arrillaga-Andreessen, Reed Hastings, Jane Stoddard, Sal Khan, Walter Isaacson, Graydon Carter, Jonathan Ive, San Francisco, California, 2014 (approx. March 1, 2015)

Scott Aukerman, Mike Farah, Nick Kroll, Whitney Cummings, Dick Costolo, Judd Apatow and Kumail Najjani, San Francisco, California, 2014 (approx. March 1, 2015)

Julie Andrews and Christopher Plummer, New York City, 2014 (approx. March 1, 2015)

Lord Jacob Rothschild and David Rockefeller, New York City, 2014 (approx. April 1, 2015)

Ken Wantanabe and Kelli O'Hara, New York City, 2015 (approx. April 1, 2015)

Ken Wantanabe and Kelli O'Hara, New York City, 2015 (approx. April 1, 2015)

John C. Whitehead, New York City, 2014 (approx. April 1, 2015)

Melody Hobson, Chicago, Illinois, 2014 (approx. April 1, 2015)

Sofia Vergara, Palm Springs, California, 2015 (approx. May 1, 2015)

Sofia Vergara, Palm Springs, California, 2015 (approx. May 1, 2015)

Sofia Vergara, Palm Springs, California, 2015 (approx. May 1, 2015)

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Sofia Vergara, Palm Springs, California, 2015 (approx. May 1, 2015)

Sofia Vergara, Palm Springs, California, 2015 (approx. May 1, 2015)

Bryan Stevenson, Montgomery, Alabama, 2015 (approx. May 1, 2015)

John Boyego, Daisy Ridley, Chewbacca and Harrison Ford, London, 2014 (approx. June 1, 2015)

Adam Driver, London, 2014 (approx. June 1, 2015)

Star Wars characters, London, 2014 (approx. June 1, 2015)

Oscar Isaac, London, 2014 (approx. June 1, 2015)

Gwendoline Christie, London, 2014 (approx. June 1, 2015)

Lupita Nyong'o, London, 2014 (approx. June 1, 2015)

J.J. Abrams and Daisy Ridley, London, 2014 (approx. June 1, 2015)

John Williams, Kathleen Kennedy, Lawrence Kasdan and J.J. Abrams, Santa Monica, California, 2015 (approx. June 1, 2015)

Judy Blume, Ballast Key, Key West, Florida, 2015 (approx. June 1, 2015)

Sumner Redstone, New York City, 1994 (approx. June 1, 2015)

Channing Tatum, Burbank, California, 2015 (approx. August 1, 2015)

Channing Tatum, Burbank, California, 2015 (approx. August 1, 2015)

Channing Tatum, Burbank, California, 2015 (approx. August 1, 2015)

Channing Tatum, Burbank, California, 2015 (approx. August 1, 2015)

Linda Greer, Clifton, New Jersey, 2015 (approx. September 1, 2015)

Mark Zuckerberg, Menlo Park, California, 2015 (September 1, 2015)

Mark Zuckerberg and Palmer Luckey, Menlo Park, California, 2015 (September 1, 2015)

Brendan Iribe and Nate Mitchell, Menlo Park, California, 2015 (September 1, 2015)

Sonny Mehta, New York City, 2015 (approx. October 1, 2015)



Agnes Gund, New York City, 2014 (approx. December 1, 2015)

Completion/Publication

Year of Completion: 2015
Date of 1st Publication: March 01, 2015
Nation of 1st Publication: United States
International Standard Number: ISSN 0733-8899

Author

▪ **Author:** Annie Leibovitz
Author Created: photograph
Work made for hire: No
Citizen of: United States
Year Born: 1949

Copyright Claimant

Copyright Claimant: Annie Leibovitz
405 W 14th Street, 3rd Floor, New York, NY, 10014, United States

Certification

Name: Laura Cali
Date: October 14, 2016

Exhibit “8”



Exhibit “9”



Exhibit “10”



Exhibit “11”



Exhibit “12”



Exhibit “13”



Exhibit “14”



Exhibit “15”



Exhibit “16”



Exhibit “17”



Exhibit “18”



Exhibit “19”

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Kary A. Lush

Acting United States Register of Copyrights and Director

Registration Number

VA 2-111-252

Effective Date of Registration:

July 10, 2017

Title

Title of Work: Vanity Fair, 2017 (Part 1)

Previous or Alternate Title: Group Registration of published photographs: 45 photographs; publication dates range: 2/01/2017 - 8/01/2017

Content Title: Emma Stone, Lupita Nyong'o, Amy Adams, Natalie Portman, Ruth Negga, Dakota Fanning, Elle Fanning, Aja Naomi King, Dakota Johnson, Greta Gerwig and Janelle Monae, Los Angeles, 2016 (approx. February 1, 2017)

Emma Stone, Los Angeles, 2016 (approx. February 1, 2017)

Natalie Portman, New York City, 2016 (approx. February 1, 2017)

Janelle Monae, Los Angeles, 2016 (approx. February 1, 2017)

Dakota Johnson, Los Angeles, 2016 (approx. February 1, 2017)

Elle Fanning, Los Angeles, 2016 (approx. February 1, 2017)

Dakota Fanning, Los Angeles, 2016 (approx. February 1, 2017)

Ruth Negga, Los Angeles, 2016 (approx. February 1, 2017)

Aja Naomi King, Los Angeles, 2016 (approx. February 1, 2017)

Greta Gerwig, Los Angeles, 2016 (approx. February 1, 2017)

Greta Gerwig, Los Angeles, 2016 (approx. February 1, 2017)

Lupita Nyong'o, Los Angeles, 2016 (approx. February 1, 2017)

Amy Adams, Los Angeles, 2016 (approx. February 1, 2017)

John Leguizamo, New York City, 2016 (approx. February 1, 2017)

New Establishment Summit, San Francisco, 2016 (approx. March 1, 2017)

Fran Lebowitz, Barry Diller, Graydon Carter, Sarah Jessica Parker, Conan O'Brien, Kevin Reilly, Eddy Cue, Richard Plepler, Amy Cappellazzo, Larry Gagosian, Jeff Koons, Laura Paulson, Darren Walker and Priscilla Chan, San Francisco, 2016 (approx. March 1, 2017)

Susan Wojcicki, Sean Parker, James Allison, James Balog, Lynsey Addario, Chamath Palihapitiya, Hamdi Ulukaya, Travis Kalanick, Jeff Bezos, Priscilla Chan, Marty Baron, Larry Gagosian, Jeff Koons, Kyle Bass, Sally Jewell, David Zaslav, and James Chanos, San Francisco, 2016 (approx. March 1, 2017)

Kevin Feige, John Lasseter, Kathleen Kennedy and Bob Iger, San Francisco, 2016 (approx. March 1, 2017)

Michael Moritz, Mary Parent, Steve Case, Beth Comstock, Bobby Kotick, Glenn Hubbard, Sebastian Thrun, Arati Prabhakar, Sarah Ellison, Nathan Myhrvold, Michael Evans, Peter Chernin, Marcus Samuelsson, Jesse Draper, Elizabeth Gore, Frank Rich, Fran Lebowitz, Mary Meeker, Jean Liu, Aaron Levie, Rashida Jones, Leslie Moonves, and Gabriel Sherman, San Francisco, 2016 (approx. March 1, 2017)

Renée Fleming, New York City, 2017 (approx. March 1, 2017)

BB-8, Oscar Isaac, John Boyega and Kelly Marie Tran, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Daisy Ridley and Mark Hamill, Dingle, Ireland, 2016 (approx. June 1, 2017)

Gwendoline Christie, Adam Driver and Domhnall Gleeson, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Carrie Fisher, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Daisy Ridley and Mark Hamill, Dingle, Ireland, 2016 (approx. June 1, 2017)

Carrie Fisher, BB-8, Oscar Isaac, John Boyega and Kelly Marie Tran, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Domhnall Gleeson, Adam Driver and Gwendoline Christie, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Daisy Ridley, Dingle, Ireland, 2016 (approx. June 1, 2017)

Daisy Ridley and Chewbacca, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Neal Scanlan and guests at the Canto Bight casino, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Michael Kaplan and his costume creations, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Laura Dern, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Benicio Del Toro, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Carrie Fisher, Rian Johnson, Mark Hamill and Kathleen Kennedy, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Anthony Daniels, Brian Herring, Dave Chapman, Matthew Denton, BB-8, Lee Towersey, R2-D2 and Joshua Lee, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Adam Driver, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Billie Lourd and Carrie Fisher, Pinewood Studios, London, 2016 (approx. June 1, 2017)



1, 2017)

Mark Hamill and Carrie Fisher, Pinewood Studios, London, 2016 (approx. June 1, 2017)

Serena Williams, Highland Beach, Florida, 2017 (approx. August 1, 2017)

Serena Williams, Highland Beach, Florida, 2017 (approx. August 1, 2017)

Serena Williams, Highland Beach, Florida, 2017 (approx. August 1, 2017)

Alexis Ohanian and Serena Williams, Highland Beach, Florida, 2017 (approx. August 1, 2017)

Serena Williams and Alexis Ohanian, Highland Beach, Florida, 2017 (approx. August 1, 2017)

Serena Williams and Alexis Ohanian, Highland Beach, Florida, 2017 (approx. August 1, 2017)

Jerry Brown, Sacramento, California, 2014 (approx. August 1, 2017)

Completion/Publication

Year of Completion: 2017
Date of 1st Publication: February 01, 2017
Nation of 1st Publication: United States
International Standard Number: ISSN 0733-8899

Author

• Author: Annie Leibovitz
Author Created: photograph
Work made for hire: No
Citizen of: United States
Year Born: 1949

Copyright Claimant

Copyright Claimant: Annie Leibovitz
405 W 14th Street, 3rd Floor, New York, NY, 10014, United States

Certification

Name: Laura Cali
Date: July 06, 2017

Copyright Office notes: Basis for Registration: Registered as a Group of Published Photographs.



Exhibit “20”



Exhibit “21”



Exhibit “22”



Exhibit “23”



Exhibit “24”



Exhibit “25”



Exhibit “26”



Exhibit “27”







Exhibit “28”

10/20/2020

WebVoyage Record View 1



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Public Catalog

Copyright Catalog (1978 to present)

Search Request: Left Anchored Name = Leibovitz

Search Results: Displaying 1 of 223 entries

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Labeled View

Vanity Fair, 2019.

Type of Work: Visual Material

Registration Number / Date: VA0002192380 / 2020-01-16

Application Title: Vanity Fair, 2019

Title: Vanity Fair, 2019. [Group registration of published photographs. 44 photographs. 2019-03-01 to 2019-12-01]

Description: 44 photographs : Electronic file (eService)

Copyright Claimant: Annie Leibovitz, 1949- . Address: 15 Hudson Yards, 76E, New York, NY, 10001, United States.

Date of Creation: 2019

Publication Date Range: 2019-03-01 to 2019-12-01

Nation of First Publication: United States

Authorship on Application: Annie Leibovitz, 1949- ; Citizenship: United States. Authorship: photographs.

Rights and Permissions: Trunk Archive, (212) 356-0099

Copyright Note: Regarding title information: Deposit contains complete list of titles that correspond to the individual photographs included in this group.

Regarding group registration: A group of published photographs may be registered on one application with one filing fee only under limited circumstances. ALL of the following are required: 1. All photographs (a) were created by the same author AND (b) are owned by the same copyright claimant AND (c) were published in the same calendar year AND 2. The group contains 750 photographs or less AND 3. A sequentially numbered list of photographs containing the title, file name and month of publication for each photograph included in the group must be uploaded along with other required application materials. The list must be submitted in an approved document format such as .XLS or .PDF. The file name for the numbered list must contain the title of the group and the Case Number assigned to the application.

Photographs: Published in December 2019 (4 photographs): RuPaul, Culver City, California, 2019, RuPaul, Culver City, California, 2019, RuPaul, Culver City, California, 2019, RuPaul, Culver City, California, 2019,

Published in December 2019 (11 photographs): Nancy Pelosi, Washington, D.C.,

10/20/2020

WebVoyage Record View 1

2019, Nancy Pelosi, Washington, D.C., 2019, Steny Hoyer, Ilhan Omar, and Nancy Pelosi, Washington, D.C., 2019, Nancy Pelosi, Washington, D.C., 2019, Chuck Schumer, Washington, D.C., 2019, Nancy Pelosi, Washington, D.C., 2019, Members at a caucus meeting, Washington, D.C., 2019, Nancy Pelosi, Washington, D.C., 2019, Maxine Waters and Nancy Pelosi, Washington, D.C., 2019, Adam Schiff, Elijah Cummings, Jerry Nadler, and Nancy Pelosi, Washington, D.C., 2019, Nancy Pelosi, Washington, D.C., 2019,

Published in March 2019 (1 photographs): Cicely Tyson, New York City, 2018

Published in April 2019 (8 photographs): Beto O'Rourke, El Paso, Texas, 2019, Beto O'Rourke, El Paso, Texas, 2019, Beto and Henry O'Rourke, El Paso, Texas, 2019, Beto O'Rourke, outside El Paso, Texas, 2019, Molly, Henry, and Beto O'Rourke, El Paso, Texas, 2019, Beto O'Rourke, El Paso, Texas, 2019, Beto O'Rourke, Bowie High School, El Paso, Texas, 2019, Beto and Amy O'Rourke with their children, Molly, Ulysses and Henry, Franklin Mountains State Park, El Paso, Texas, 2019

Published in June 2019 (17 photographs): Adam Driver, London, 2018, Daisy Ridley, London, 2019, J. J. Abrams, Wadi Rum, Jordan, 2018, J. J. Abrams, Wadi Rum, Jordan, 2018, Colin Anderson, Wadi Rum, Jordan, 2018, J. J. Abrams and Daisy Ridley, Wadi Rum, Jordan, 2018, Joonas Suotamo, Daisey Ridley, Anthony Daniels, and John Boyega, Wadi Rum, Jordan, 2018, BB-8 and Anthony Daniels, Wadi Rum, Jordan, 2018, Colin Anderson, Joonas Suotamo, BB-8, and Daisy Ridley, Wadi Rum, Jordan, 2018, Aki-Aki, Wadi Rum, Jordan, 2018, Adam Driver and Daisy Ridley, London, 2018, John Boyega and Naomi Ackie, London, 2019, Oscar Isaac, Billy Dee Williams, Chewbacca, D-O, and BB-8, London, 2018, Domnhall Gleeson and Richard E. Grant, London, 2018, Keri Russell, London, 2018, John Williams, Culver City, California, 2019, Mark Hamill and R2-D2, London, 2018,

Published in September 2019 (3 photographs): Ta-Nehisi Coates, New York City, 2019, Ta-Nehisi Coates, Brooklyn, New York, 2019, Ta-Nehisi Coates, New York City, 2019,

Names: [Leibovitz, Annie, 1949-](#)



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Exhibit “29”

ARTIST AGREEMENT

This Artist Agreement (the "Agreement") is made as of November 12, 2014 by and between Trunk Images, Inc. d/b/a Trunk Archive ("Trunk Archive") and Annie Leibovitz ("Artist"). This Agreement shall confirm the terms upon which Trunk Archive will be the worldwide representative for licensing certain copyrighted images in and/or to which Artist holds the copyright or reproduction rights.

1. Grant of Rights: Subject to the terms and conditions of this Agreement, Artist hereby grants to Trunk Archive the exclusive worldwide right to license, market, and promote the Licensed Images (as defined below) for all uses in any and all media. Notwithstanding the foregoing, nothing contained herein shall restrict Artist's right to collaborate with or deliver any Licensed Images to 

2. Licensed Images: The images subject to this Agreement shall be those images provided to Trunk Archive by Artist or Artist's authorized agent for representation hereunder (the "Licensed Images"). 

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first set forth above.

TRUNK ARCHIVE

By: _____
Name: Matthew Money Penny
Title: CEO

THE ARTIST:

By:  11/14/14
Annie Leibovitz

Exhibit “30”



MOVIES JUNE 2015 ISSUE

The Cast of *Star Wars: The Force Awakens* in *Vanity Fair*

Photographed by **Annie Leibovitz**, Han Solo and Chewbacca team up with some of the newer heroes in the galaxy.

PHOTOGRAPHY BY ANNIE LEIBOVITZ

MAY 4, 2015



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Galactic travelers, smugglers, and other assorted riffraff fill the main hall of pirate Maz Kanata's castle.



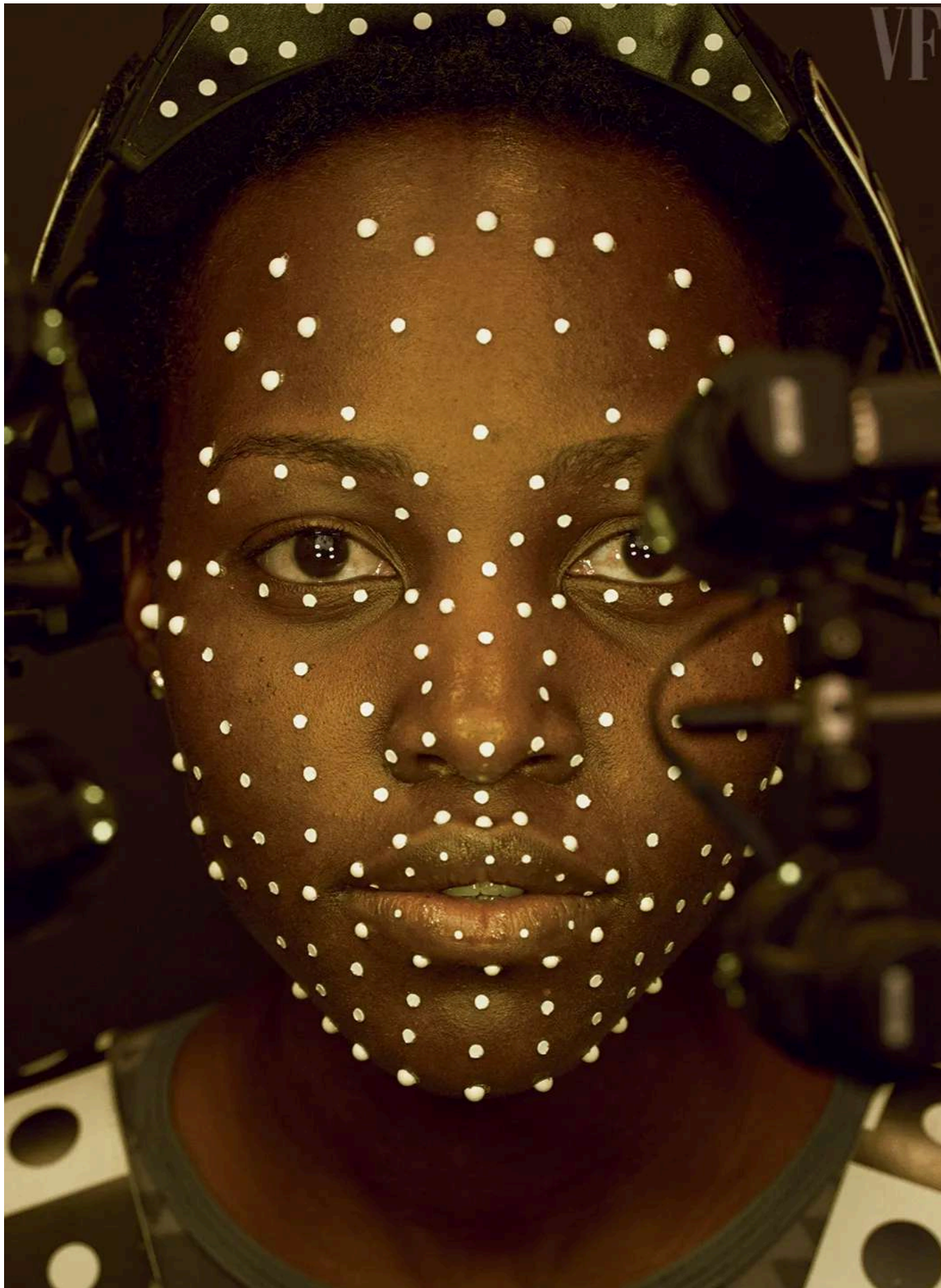
PHOTOGRAPH BY ANNIE LEIBOVITZ.

Dashing Resistance pilot Poe Dameron (Oscar Isaac) stands alongside his trusty X-wing fighter.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

First Order officer Captain Phasma (Gwendoline Christie) surveys the rubble following an attack.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

A small galaxy's worth of tracking dots affixed to Lupita Nyong'o's face allowed artists at Industrial Light & Magic to transform her into the C.G.I. character Maz Kanata.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Next-generation bad guy Kylo Ren (Adam Driver) commands snowtroopers loyal to the evil First Order on the frozen plains of their secret base.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Actress Daisy Ridley for a scene in which her character, the young heroine Rey, pilots her speeder through a bustling marketplace on the planet Jakku.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Members of the brain trust behind *The Force Awakens*: composer John Williams, producer and Lucasfilm president Kathleen Kennedy, co-writer Lawrence Kasdan, and director and co-writer Abrams, photographed at Bad Robot, Abrams's production company, in Santa Monica.

READ MORE

Exhibit “31”



PHOTOGRAPH BY ANNIE LEIBOVITZ.

See Annie Leibovitz's Exclusive Cast Portraits of *Star Wars: The Last Jedi* for *Vanity Fair*

When last seen, in the clifftop payoff of *The Force Awakens*, Daisy Ridley's Rey was face-to-face with Mark Hamill's long-lost Luke Skywalker. What happens next, when *The Last Jedi* hits screens in December, is closely guarded. But we've got the definitive first look at characters old and new right here. For more, [read David Kamp's article in the Summer 2017 issue.](#)

PHOTOGRAPHY BY ANNIE LEIBOVITZ

MAY 24, 2017



PHOTOGRAPHED EXCLUSIVELY FOR V.F. BY ANNIE LEIBOVITZ. FOR *THE LAST JEDI*: COSTUME DESIGN BY MICHAEL KAPLAN; PRODUCTION DESIGN BY RICK HEINRICHS. FOR V.F.: SET DESIGN BY MARY HOWARD. FOR DETAILS, GO TO [VF.COM/CREDITS](https://www.vanityfair.com/credits).

Master Class

Daisy Ridley as Resistance warrior Rey and Mark Hamill as mentor Luke Skywalker, on location in Ireland.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

New Hope

Daisy Ridley's Rey hones her lightsaber skills—and channels her inner Force.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Driver's Seat

Daisy Ridley as Rey, at the helm of the *Millennium Falcon*, with Joonas Suotamo as co-pilot Chewbacca.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Freedom Fighters

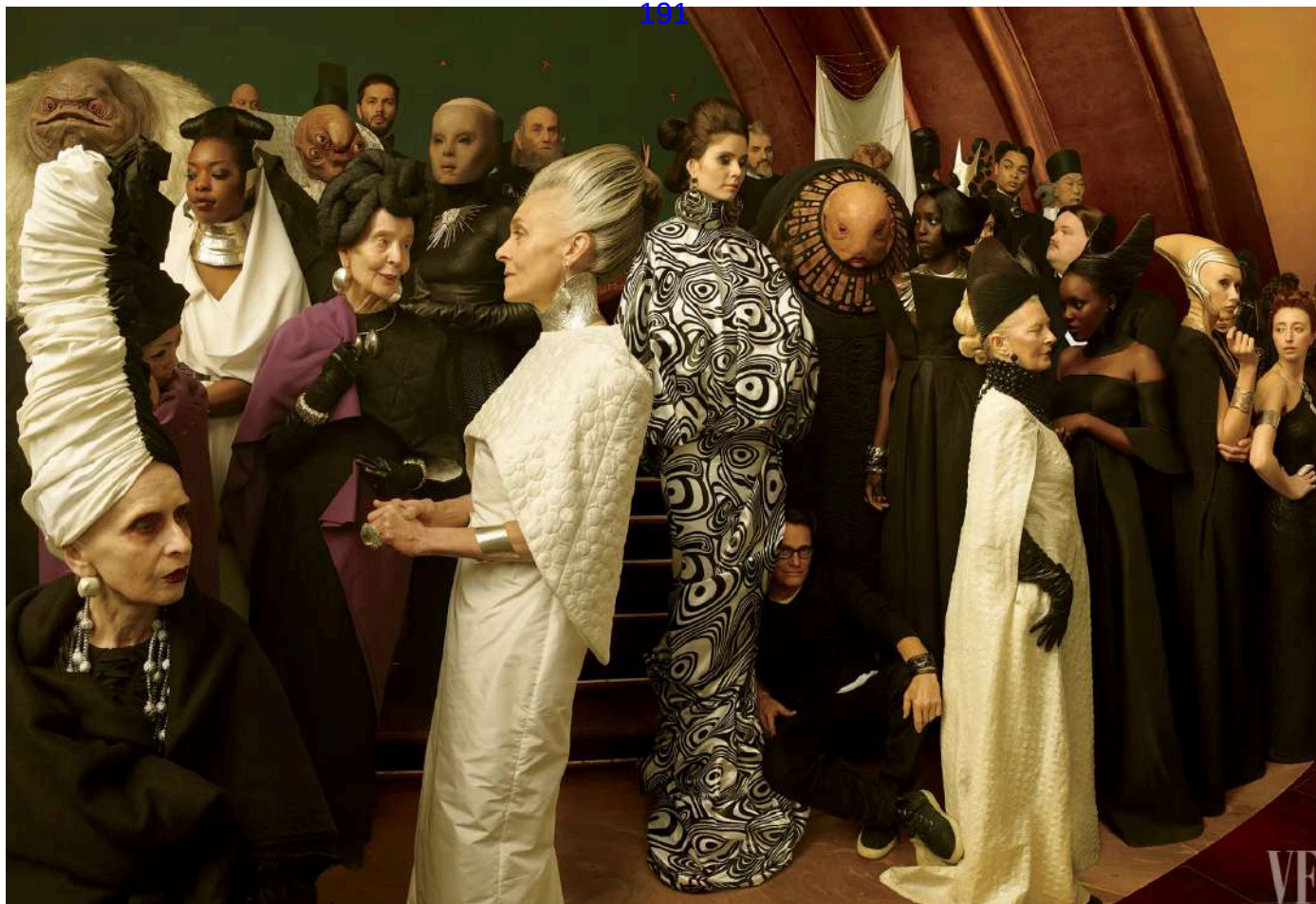
Carrie Fisher, Oscar Isaac, John Boyega, and Kelly Marie Tran as the rebels General Leia Organa, Poe Dameron, Finn, and Rose Tico, with droid BB-8.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Night Creatures

Neal Scanlan (seated), creative supervisor of the *Star Wars* creature shop, and guests at the Canto Bight casino.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Best-Dressed

Costume designer Michael Kaplan (seated), surrounded by some of his creations.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Off Duty

Anthony Daniels as C-3PO, with droids R2-D2 and BB-8 and the Droid Department's Brian Herring, Dave Chapman, Matthew Denton, Lee Towersey, and Joshua Lee.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Off Duty

Carrie Fisher (General Leia Organa), writer-director Rian Johnson, Mark Hamill (Luke Skywalker), and producer Kathleen Kennedy with Fisher's dog, Gary, and Hamill's daughter's dog, Millie.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Memories

Fisher, who died in December, with daughter Billie Lourd (Lieutenant Kaydel Connix).



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Memories

Fisher and Hamill, with whom she first worked four decades ago.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Rookies

Laura Dern, as Vice Admiral Amilyn Holdo, a newcomer to the saga.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Rookies

Benicio Del Toro, as the shifty "DJ," a newcomer to the saga.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Spawn

Adam Driver, in character as Kylo Ren, Han Solo's son and slayer, wields a crossguard lightsaber.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

The Dark Side

First Order leaders General Hux, Kylo Ren, and Captain Phasma, played by Domhnall Gleeson, Adam Driver, and Gwendoline Christie.

READ MORE

Exhibit “32”

COVER SHOOT SUMMER 2019 ISSUE

Star Wars: The Rise of Skywalker Photos: Meet the Characters and Go on Set

Get an exclusive, behind-the-scenes look at *Star Wars: The Rise of Skywalker*. Annie Leibovitz photographs the places and faces behind the film.

PHOTOGRAPHY BY ANNIE LEIBOVITZ

MAY 22, 2019



PHOTOGRAPH BY ANNIE LEIBOVITZ.

HOT TAKE

Members of the crew shade and shine Daniels, the only cast member to appear in all nine of the Skywalker films, while BB-8 looks on.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

J.J. Abrams, alongside Stunt Coordinator Eunice Huthart, directs the Knights of Ren; elite fearsome enforcers of Kylo Ren's dark will.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

FIRST LOOK

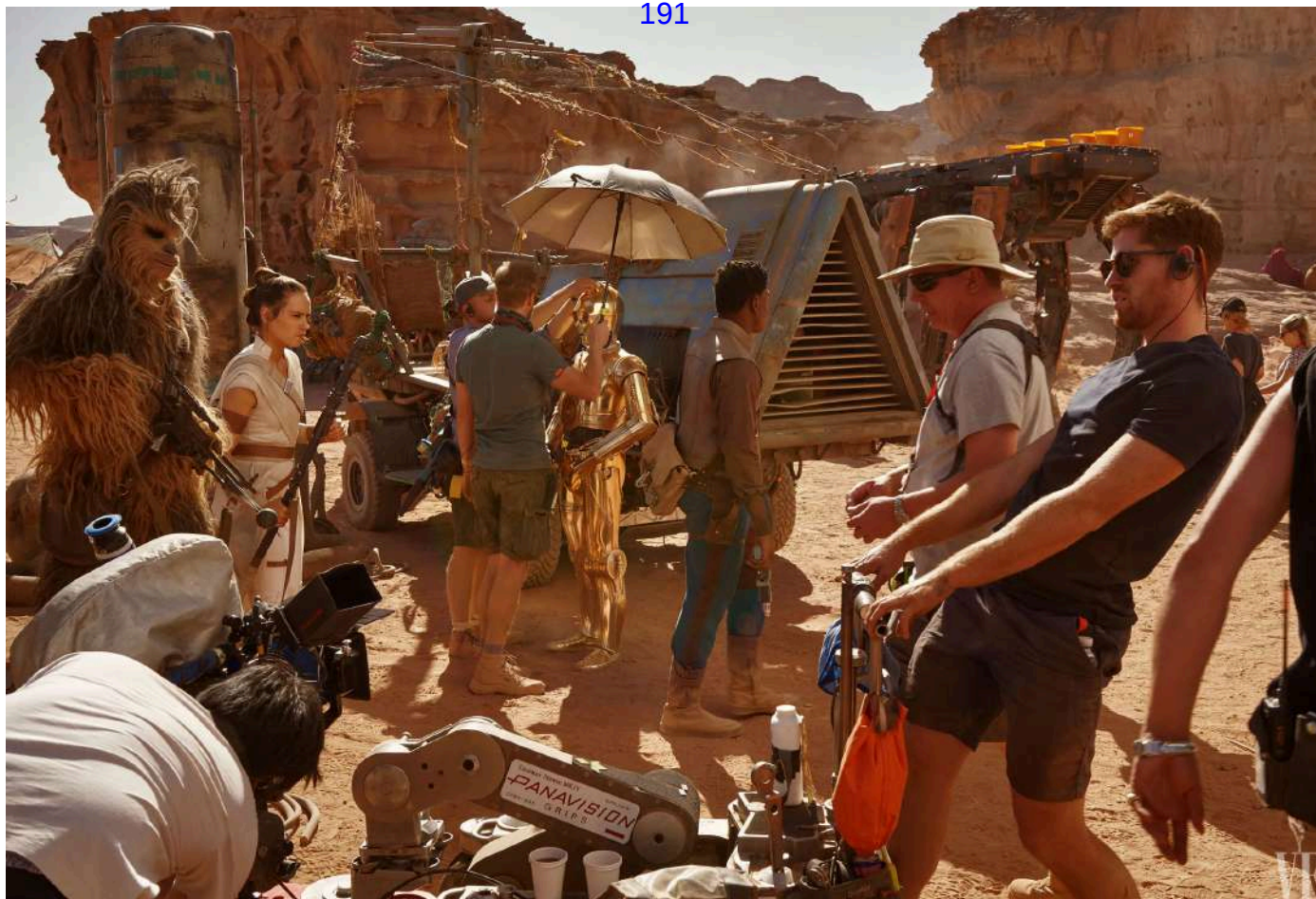
Vanity Fair reveals Keri Russell as the masked scoundrel Zorri Bliss, seen in the Thieves' Quarter of the snow-dusted world Kijimi.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

FORCE MAJEURE

First Order leaders General Hux (Domhnall Gleeson) and Allegiant General Pryde (Richard E. Grant) on the bridge of Kylo Ren's destroyer.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

DESERT POWER

Joonas Suotamo (Chewbacca), Ridley, Anthony Daniels (C-3PO), and John Boyega (Finn) await the call to action for a chase scene.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

SANDBLAST

Camera operator Colin Anderson readies a take for a chase sequence spotlighting the heroics of Chewbacca, BB-8, and Rey.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

PUNCH IT!

In a historic reunion, Lando Calrissian (Billy Dee Williams) retakes the helm of the *Millennium Falcon*, joined by Poe Dameron (Oscar Isaac), Chewbacca, D-O, and BB-8. "He's a survivor," Williams says of Lando.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

HORSING AROUND

Finn and new ally Jannah (Naomi Ackie), atop hardy orbs, lead the charge against the mechanized forces of the First Order. "It's extremely surreal to be in it," says Ackie, "and see how it works from the inside."



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Camera operator Colin Anderson readies a take.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

WELL MET

Jordanian locals play the Aki-Aki, natives of the planet Pasaana.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

STAR CROSSED

Kylo Ren (Adam Driver) and Rey battle it out with lightsabers in a stormy confrontation. Their Force-connection—what Driver calls their “maybe-bond”—will turn out to run even deeper than previously revealed.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

Director and co-writer J. J. Abrams and crew weather the Jordanian sun to capture the action on planet Pasaana.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

ENCORE

Composer John Williams conducting the *Star Wars* score, drawing on themes and motifs he has woven across four decades. "I didn't think there would ever be a second film," he says.



PHOTOGRAPH BY ANNIE LEIBOVITZ.

FROM THE ASHES

Mark Hamill, as Luke, with R2-D2. Speculation is rampant about who will “rise” as the Skywalker of the movie’s title—and how that choice will reflect the way the world has changed since *Star Wars* debuted in 1977.



PHOTOGRAPH BY ANNIE LEIBOVITZ.



*The CRASH & BURN
of MICHAEL
AVENATTI*

By EMILY JANE FOX

*The RETURN of
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EXCLUSIVE FIRST LOOK

STAR WARS

ON SET OF *Episode IX: The Rise of Skywalker*

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PHOTOGRAPHS by ANNIE LEIBOVITZ

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PHOTOGRAPH BY ANNIE LEIBOVITZ.

Exhibit “33”

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Details for Star Wars: The Force Awakens surface in Vanity Fair shoot — watch

Plus, J.J. Abrams wants to kill Jar Jar Binks.



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[Michael Roffman](#)

May 4, 2015 | 1:48am ET

May the Fourth be with you: This week, [Vanity Fair](#) will send a ripple across the galaxy with their upcoming cover story on [Star Wars: The Force Awakens](#). The June issue, which surfaces digitally on Thursday, May 7th and on newsstands nationwide Tuesday, May 12th, offers a behind-the-scenes look on the film, which includes many, many secrets from the lips of director J.J. Abrams, Lucasfilm president Kathleen Kennedy, and several others.

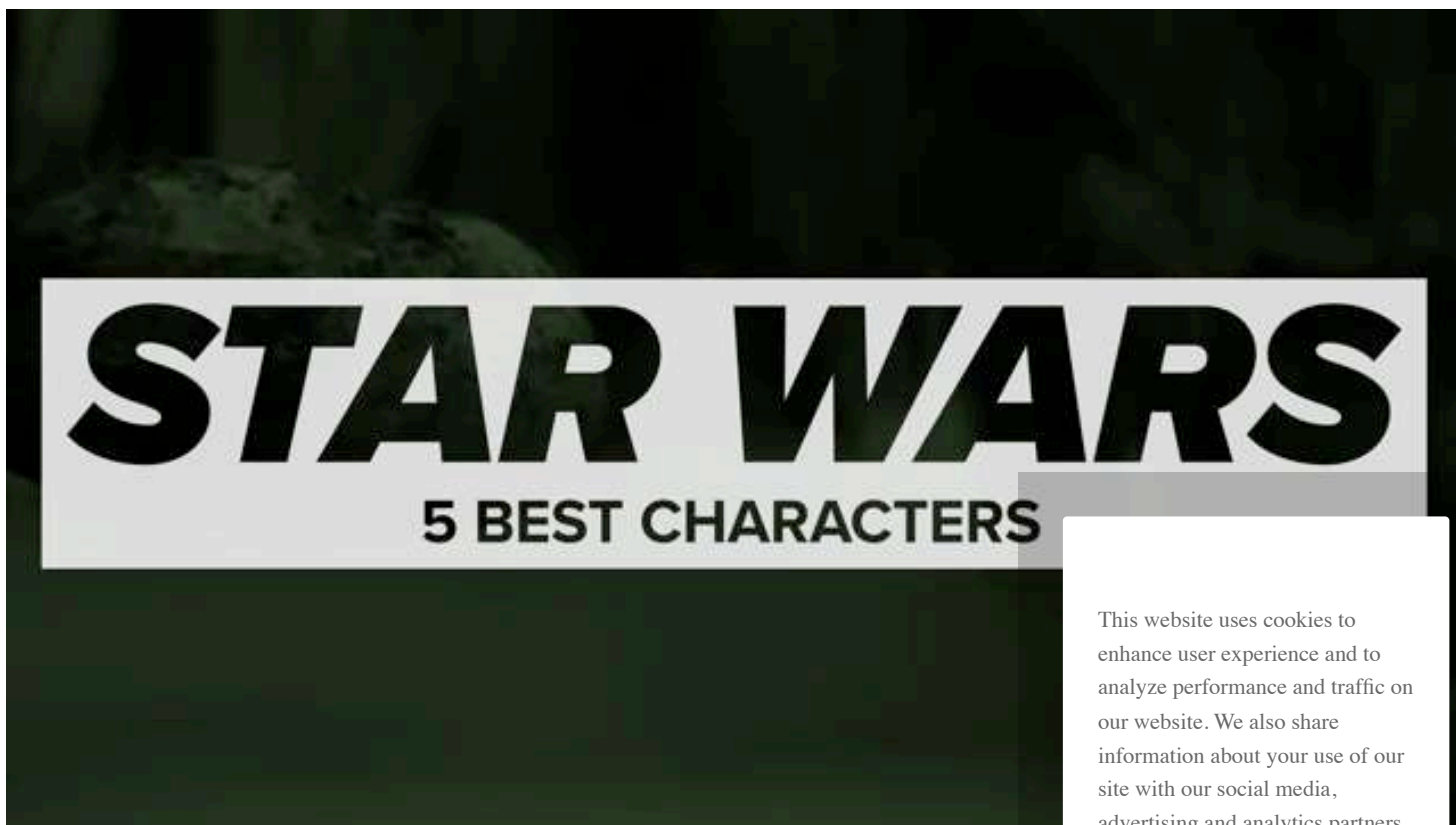
Legendary photographer Annie Leibovitz visited the London set during filming last year to shoot portraits for the magazine, some of which include never-before-seen characters played by Adam Driver, Gwendoline Christie, and Lupita Nyong'o. Already, they've started hinting at some of the juicy bits to come like Abrams' hilarious idea to kill off Jar Jar Binks, as he says: "I have a thought about putting Jar Jar Binks's bones in the desert there. I'm serious! Only three people will notice, but they'll love it."

To keep balance in the Force, they've unlocked a short clip that, surprisingly, offers a number of mild spoilers regarding Driver, Nyong'o, and a certain famous ship that two lucky nerf herders appear to be flying. Watch it below and check out the issue's cover and a number of exclusive photos shortly after — that is, before they're on every one of your friend's Facebook profiles.

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Related Video

Top 5 Star Wars Characters



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Christ, can it be December already?



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Oscar Isaac's Poe Dameron

Daisy Ridley's Rey

Nyong'o's Maz Kanata
5543d110db753b Adam Driver's Main hall of pirate Maz
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Update: Peter Mayhew, aka Chewbacca himself, tweeted the following photo this afternoon featuring Gwendoline Christie as Captain Phasma. In other words, the Chrome Trooper from the trailer.

The lovely Gwendoline Christie ([@lovegwendoline](#)) as the not so lovely Captian Phasma
— Peter Mayhew (@TheWookieeRoars) [May 4, 2015](#)

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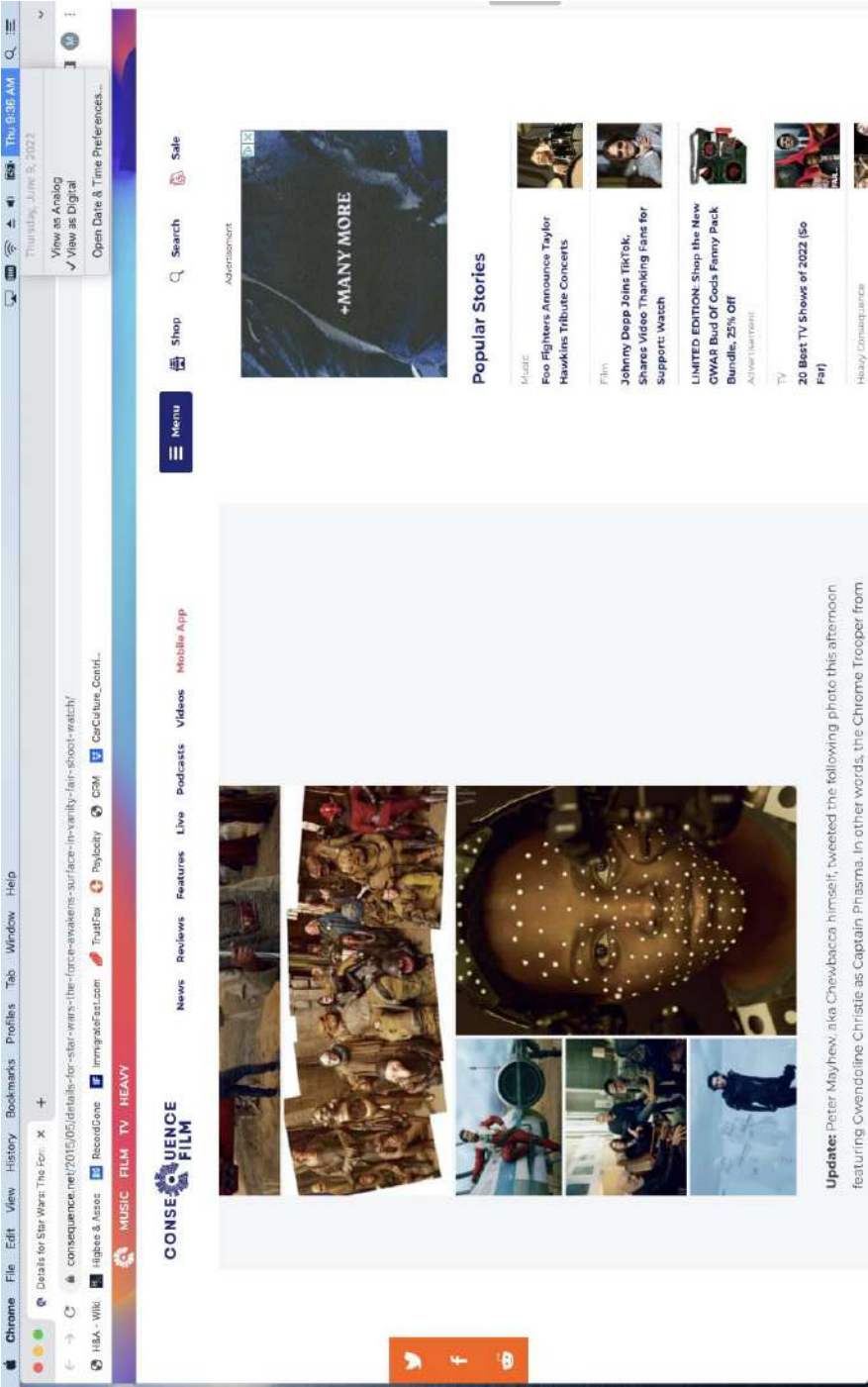
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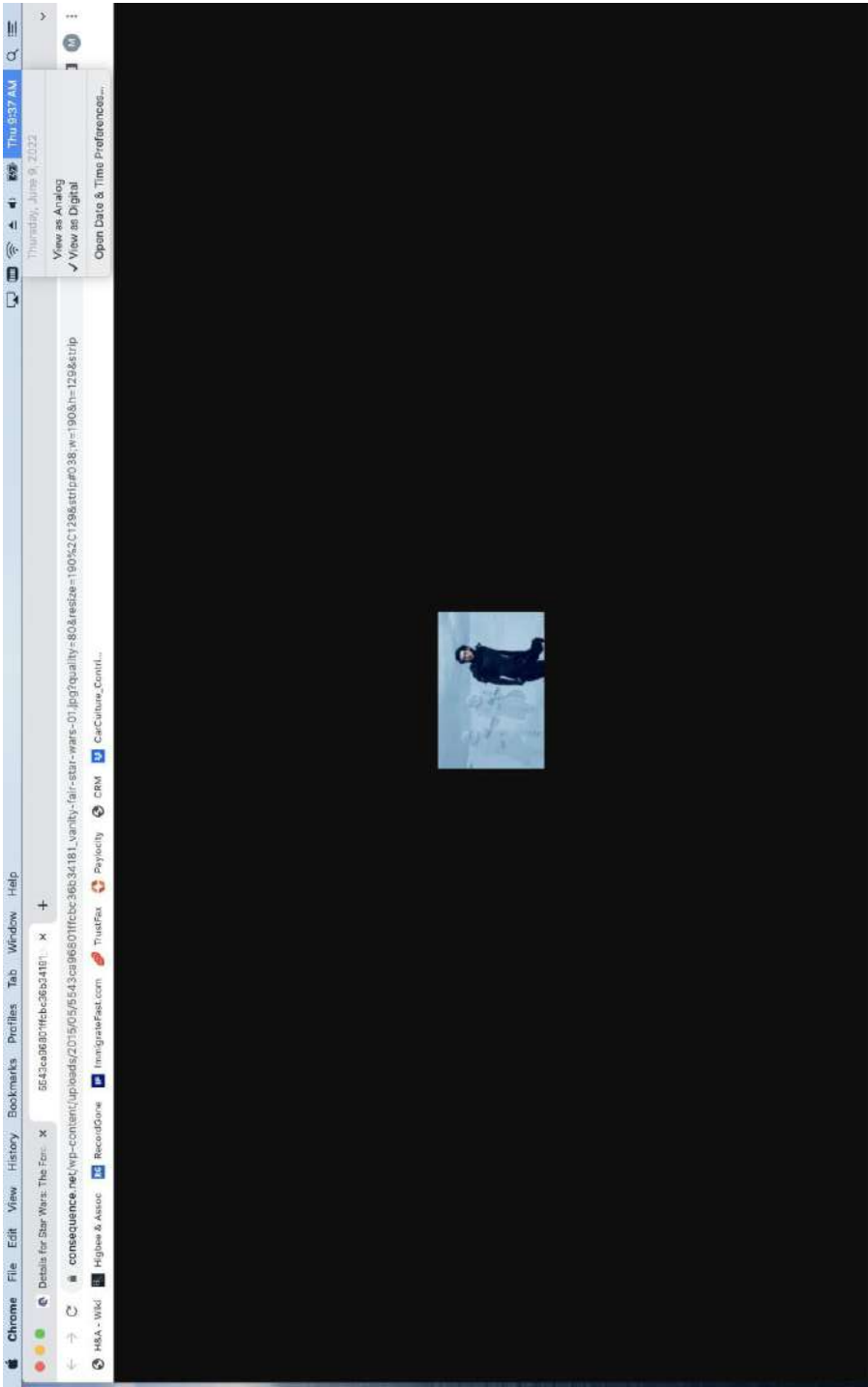
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STAR WARS

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Gallery:



Updater: Peter Mayhew, aka Chewbacca himself, tweeted the following photo this afternoon featuring Gwendoline Christie as Captain Phasma. In other words, the Chrome Trooper from the trailer.

Peter Mayhew Foundation

The lovely Gwendoline Christie (@lovegwendoline) as the not so lovely Captain Phasma



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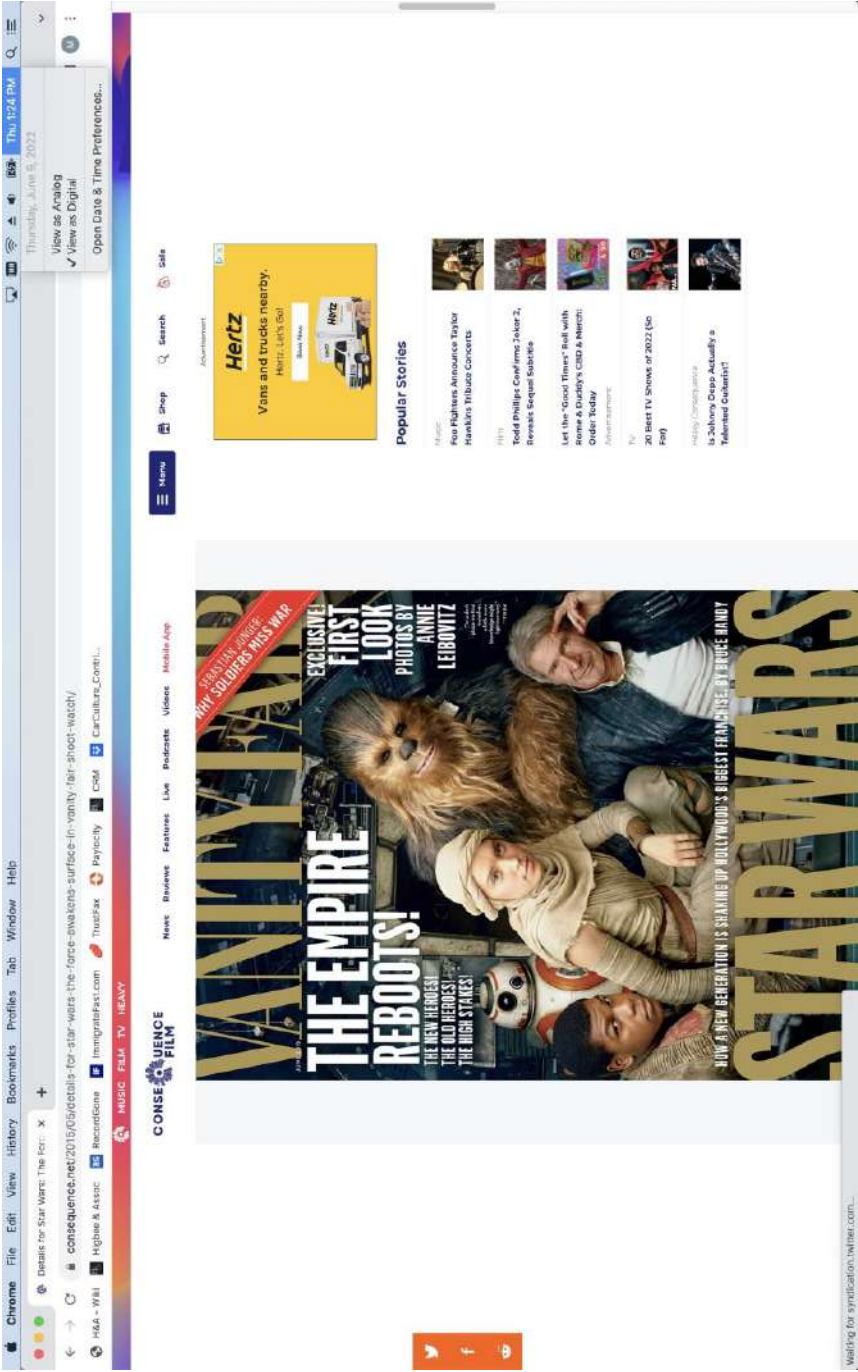
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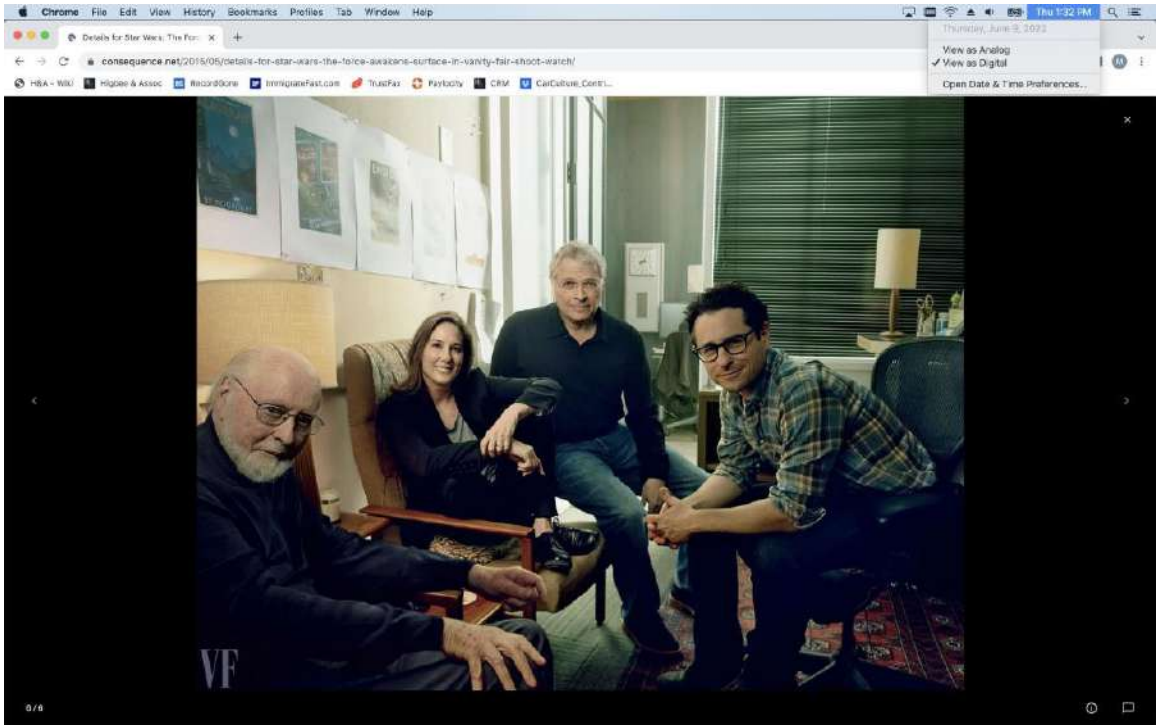
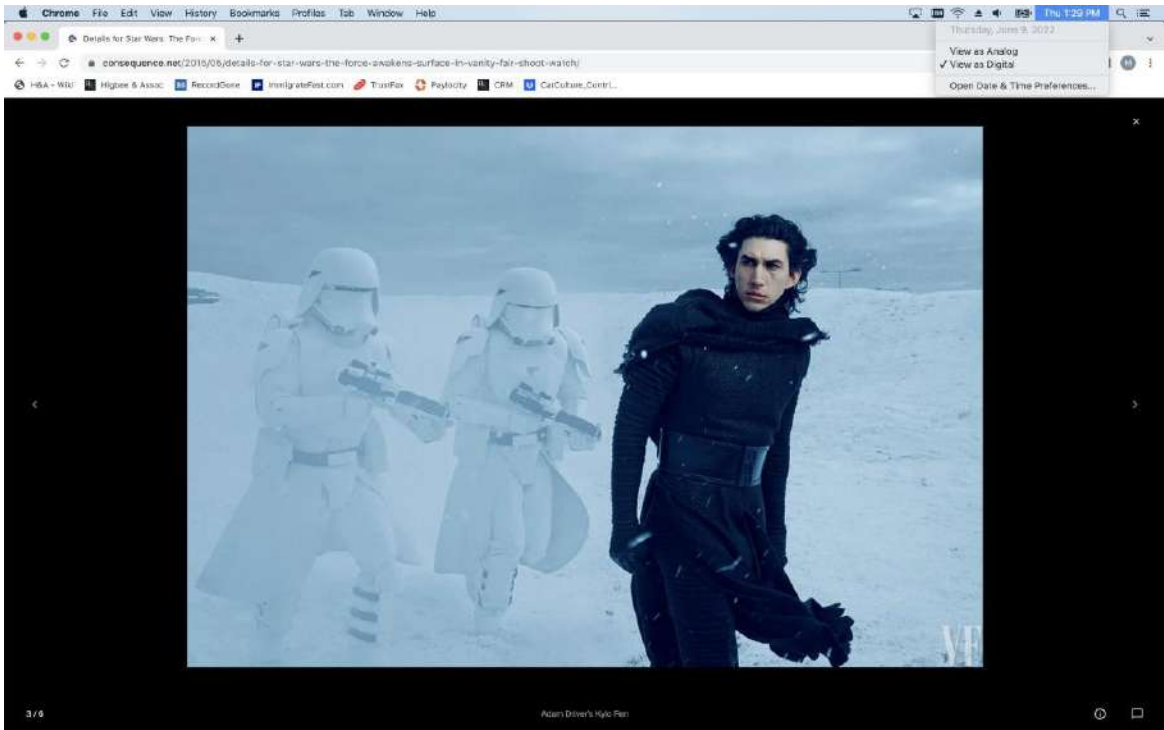
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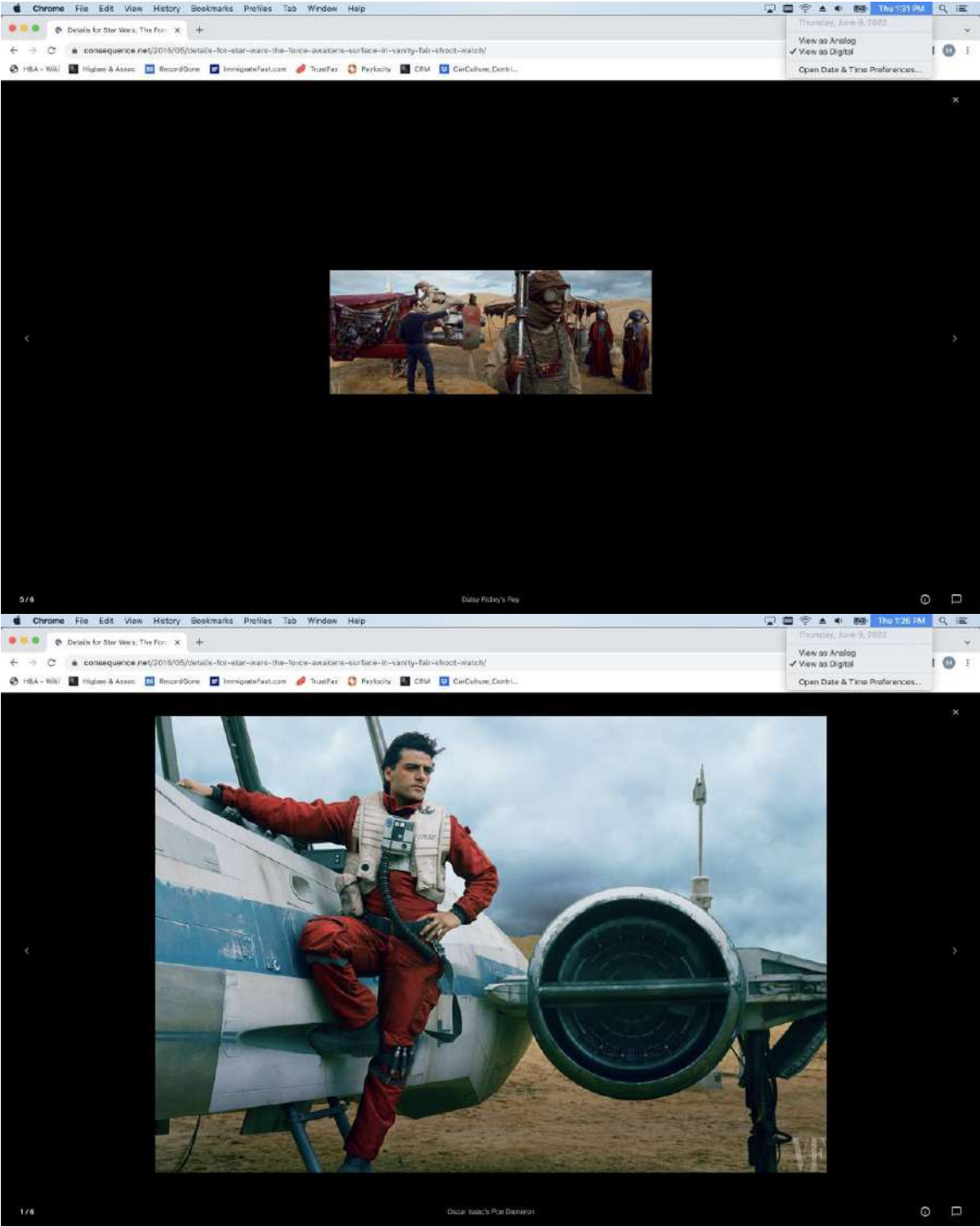
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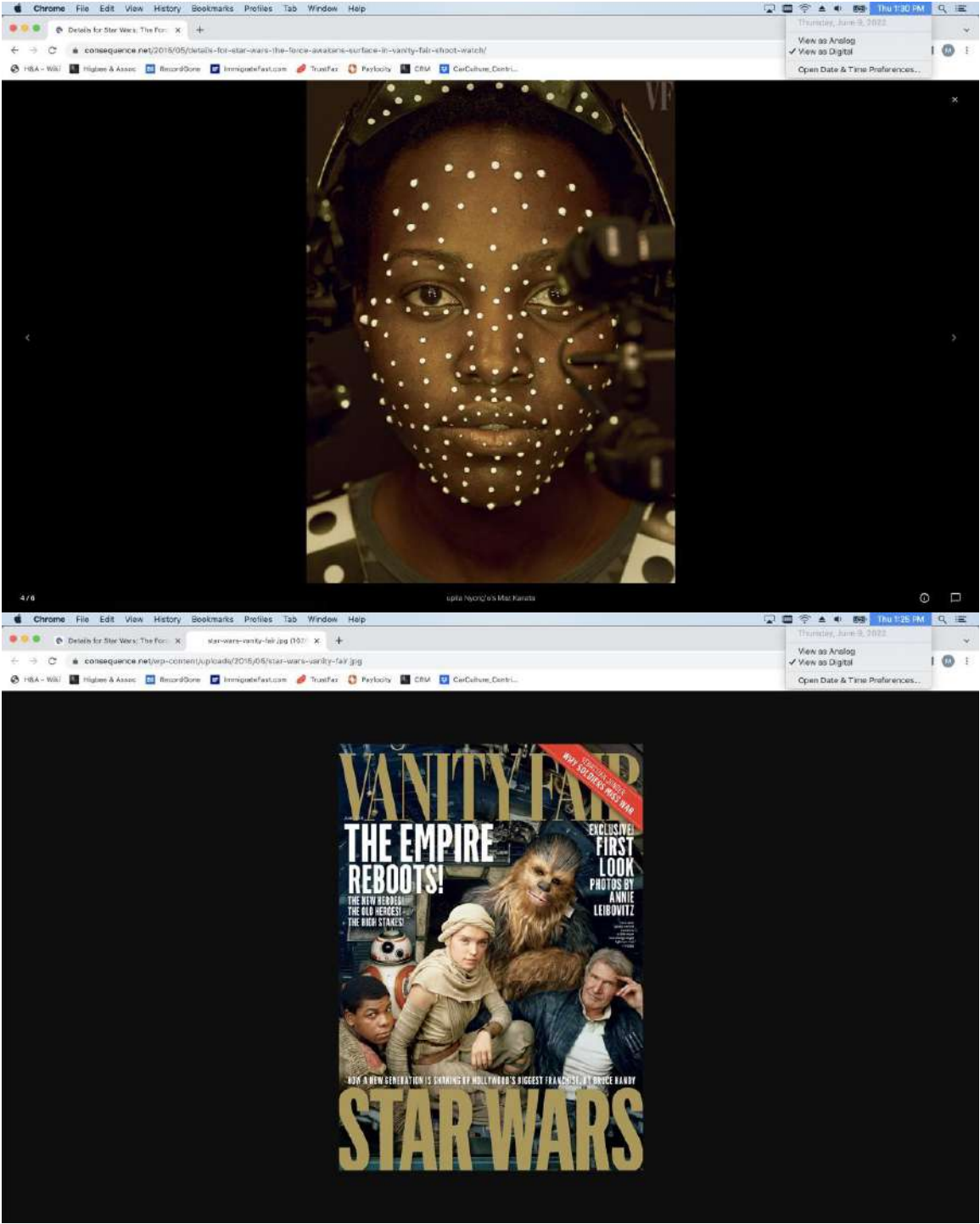
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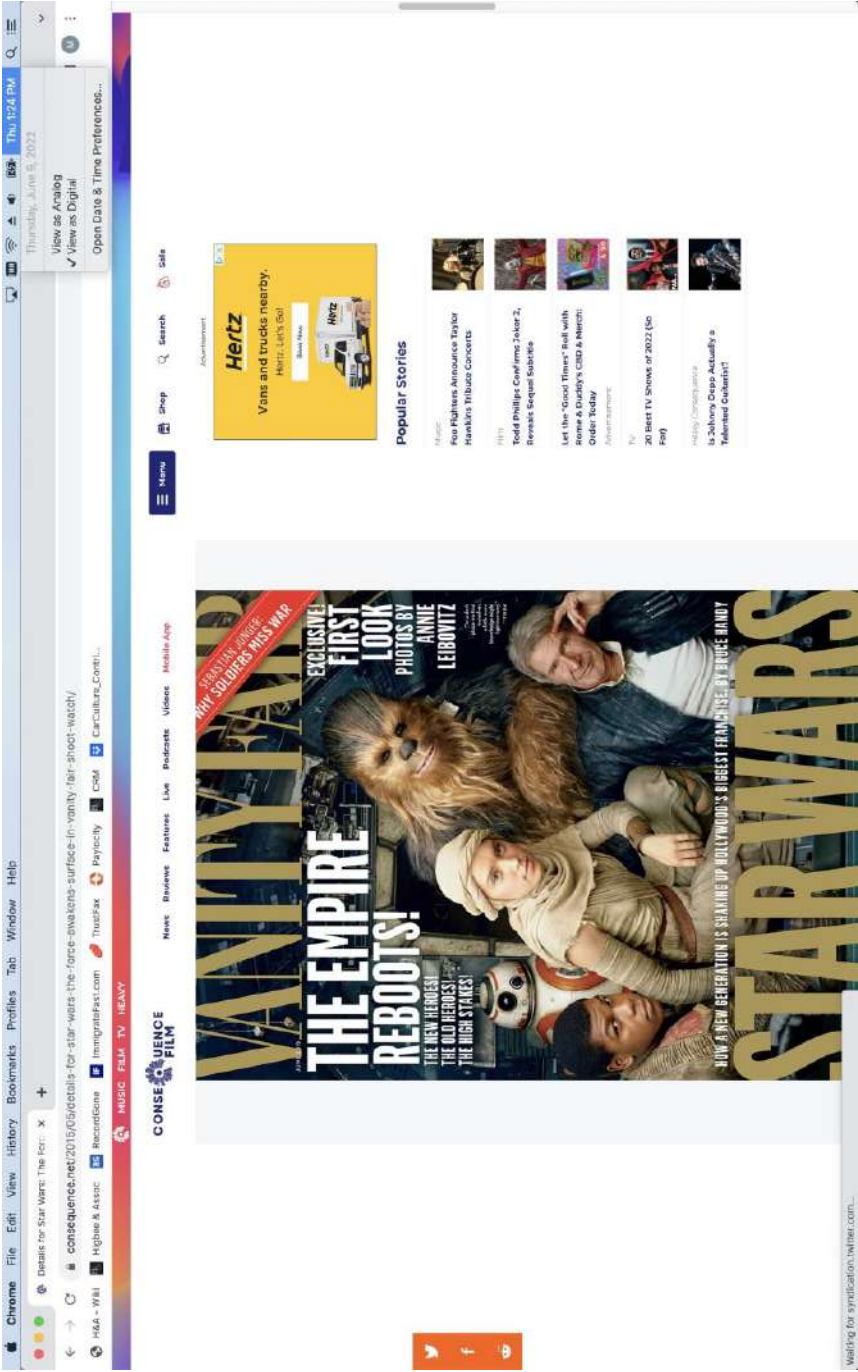
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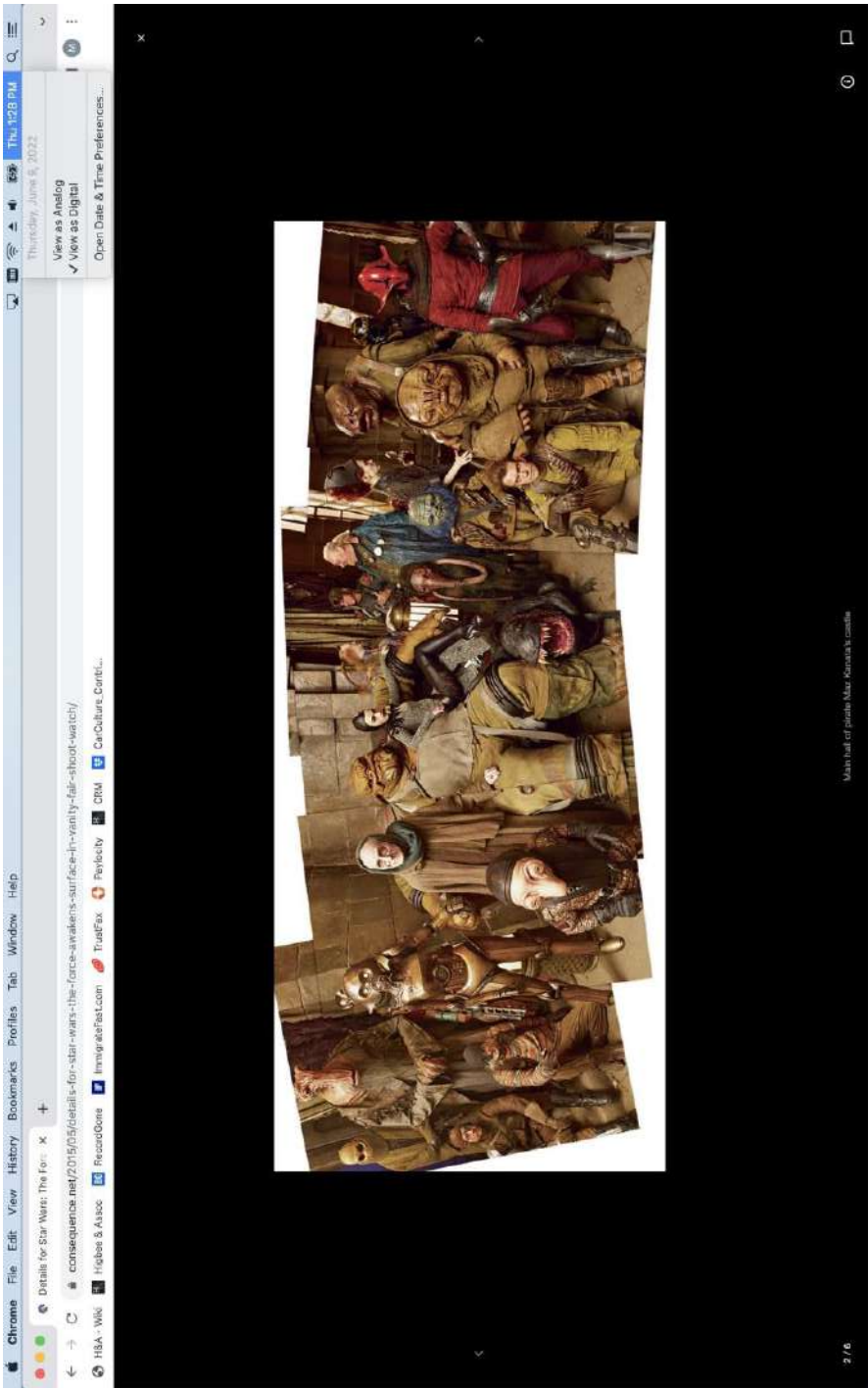


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Star Wars: The Last Jedi details and photos surface in Vanity Fair cover story

Characters are revealed, the plot thickens, heroes reunite, and villains get shadier



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[Michael Roffman](#)

May 24, 2017 | 11:55am ET

Déjà vu, anyone? It seems like only yesterday that [Vanity Fair was previewing Star Wars: The Force Awakens](#), and we were seeing Han Solo, Chewbacca, and the all-too-familiar galaxy that J.J. Abrams was bringing back to life piece by piece. Well, two sweet treats for its sequel, *Star Wars: The Last Jedi*, specifically another flavorful cover story, a round of jaw-dropping plot twists, and juicy details that should us over until the film's release on December 15th.

A few highlights to glean from the story include the confirmation that [Laura Dern](#) is playing a prominent Resistance officer, [John Boyega](#) is playing a Resistance maintenance worker named Rose Tico, and [Benicio Del Toro](#) is playing an unnamed shady character. The action will also move to a new casino city setting called Canto Bight, which director [Rian Johnson](#) describes as a "James Bond-ish, a little *To Catch a Thief*." Very cool.

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Those expecting to see a darker picture akin to *The Empire Strikes Back* will have to temper those expectations as Johnson contends: “I didn’t want this to be a dirge, a heavy-osity movie. So one thing I’ve tried really hard to do is keep the humor in there, to maintain the feeling, amid all the heavy operatic moments, that you’re on a fun ride.” It should also be quite stylish, too, as he adds of Canto Bight: “I was thinking, O.K., let’s go ultra-glamour. Let’s create a playground, basically, for rich assholes.” Hmm, sounds a little like this one place called Bespin?

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The Star Wars Universe Truly Began at Mos Eisley's Cantina



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Star Wars: the last Jedi details and photos surface in Vanity Fair cover story - Consequence

Given that the cover shoot took place during filming, the late [Carrie Fisher](#) is also featured in the story, and can be seen in photos with her daughter [Billie Lourd](#). [Oscar Isaac](#), who plays the “best pilot in the galaxy” Poe Dameron, shared a humorous anecdote from the production, saying: “We did this scene where Carrie has to slap me. I think we did 27 takes in all, and Carrie leaned into it every time, man. She loved hitting me. Rian found such a wonderful way of working with her, and I think she really relished it.”

Though, producer [Kathleen Kennedy](#) has arguably the most tragic story to tell, as she recalls the time Fisher completed her work on the film. “She was having a blast,” Kennedy says. “The minute she finished, she grabbed me and said, ‘I’d better be at the forefront of *IX*!’ Because Harrison [Ford] was front and center on *VII*, and Mark [Hamill] is front and center on *VIII*. She thought *IX* would be her movie. And it would have been.”

It’s certainly worth [a full read](#), so check it out after you watch the behind-the-scenes video above and flip through the photos below. Also, stay tuned for a full breakdown in our trusty Star Wars podcast, [State of the Empire](#), brought to you by the fine folks at [Nerdy Show](#).

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Star Wars Movies and Shows1 x

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of the Resistance to their final battlefield.




Leando Caldeira (Filly Dee Williams) (Star Wars: The Rise of Skywalker) (Location), photo by Anna Lopez

"Who's Scruffy Looking?" *Rise Of Skywalker* introduces even more horses in the orbaks that Jannah (Naomi Aarckie) and Finn (John Boyega) ride into battle on the surface of one of the aforementioned Star Destroyers. The Porgs also make a comeback, and there's even a welcome cameo from everybody's favorite Ewok, Wicket W. Warrick.

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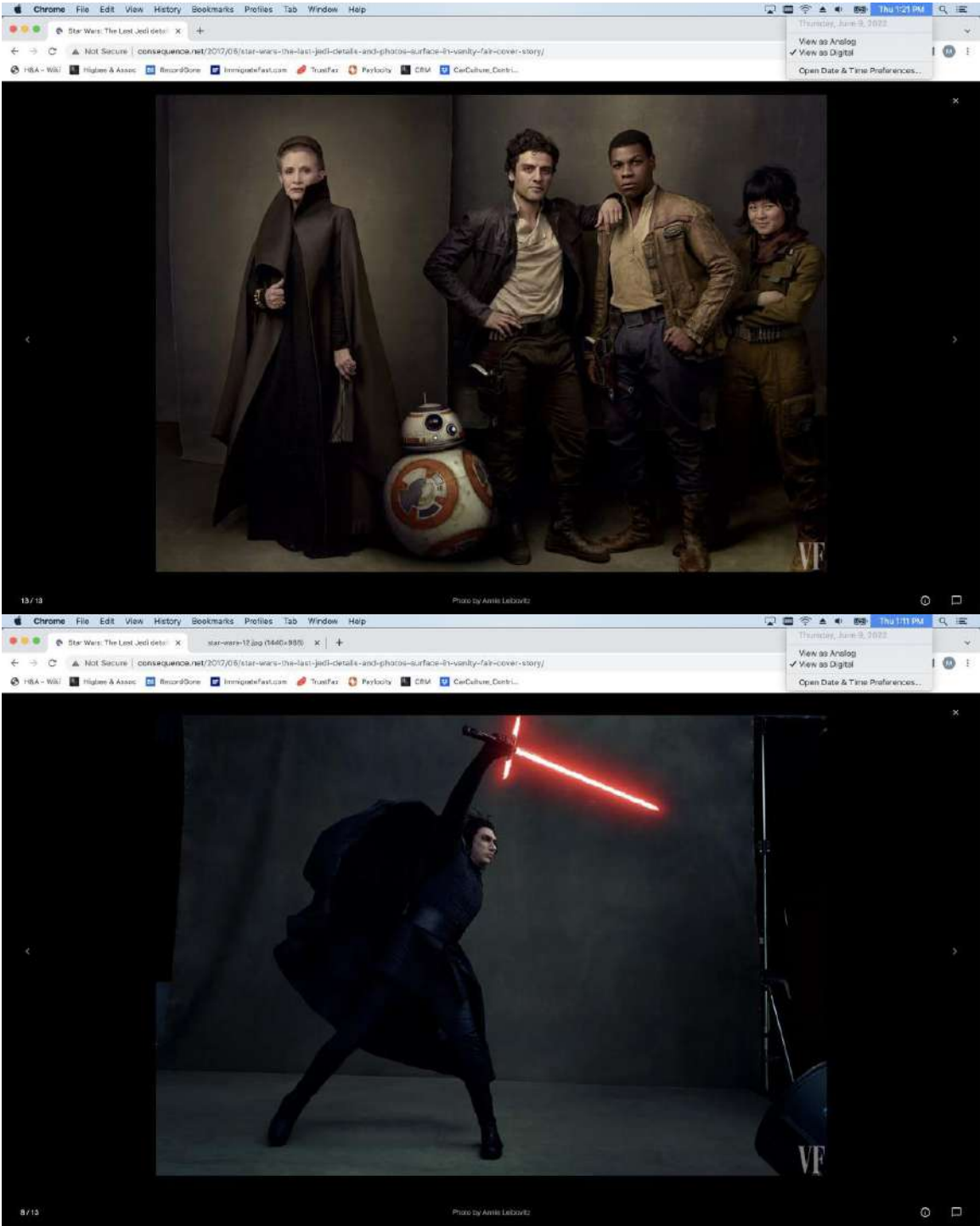
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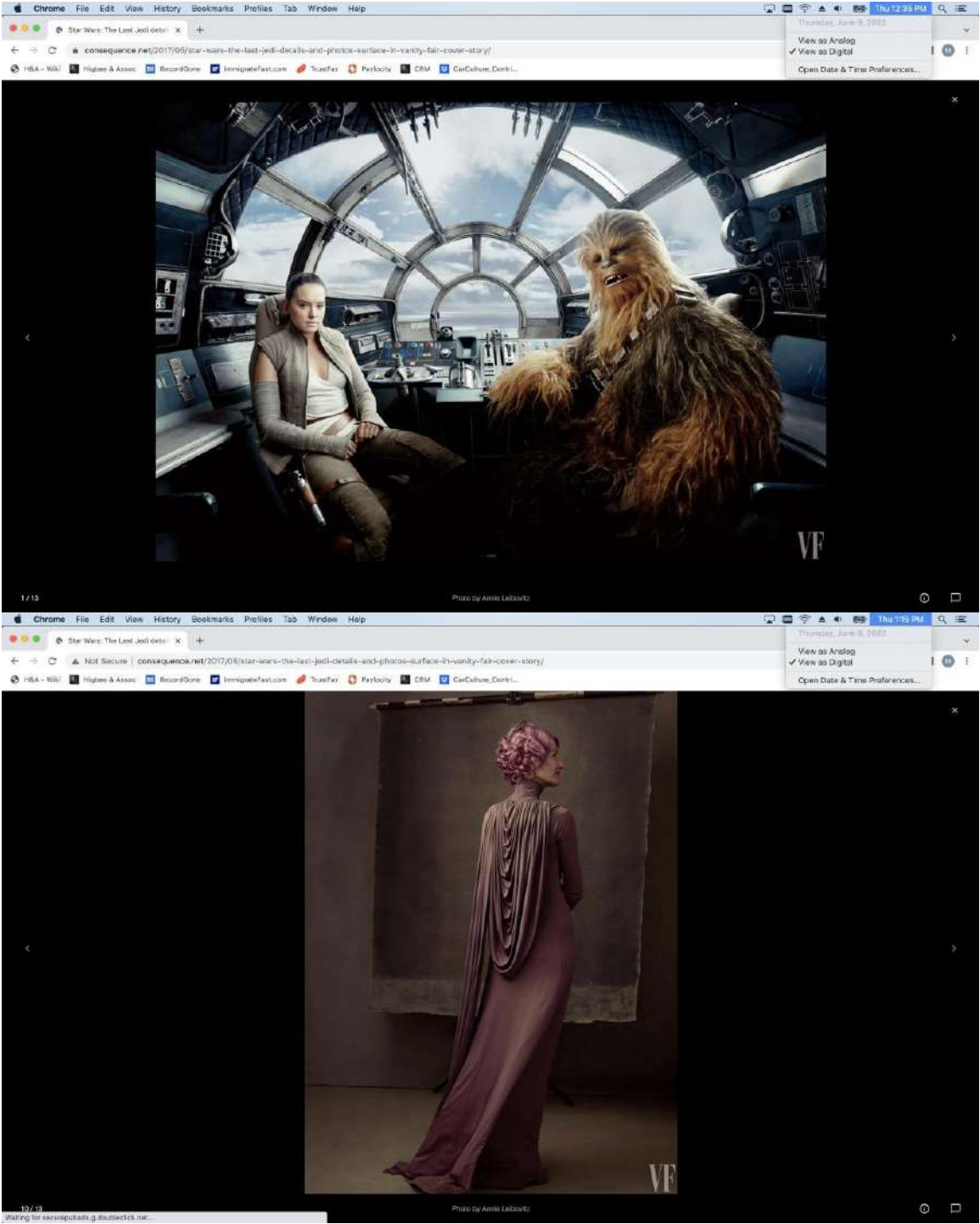
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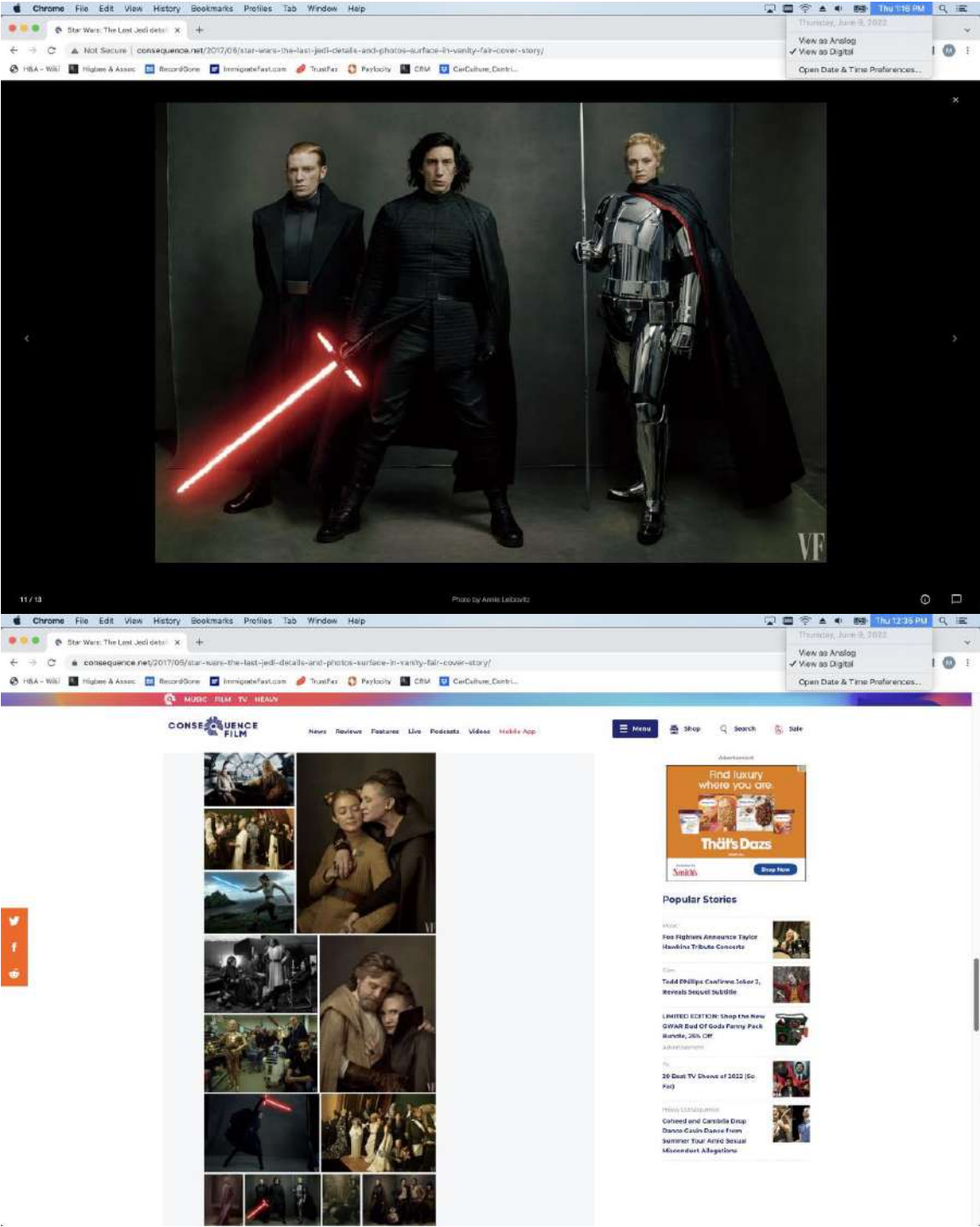
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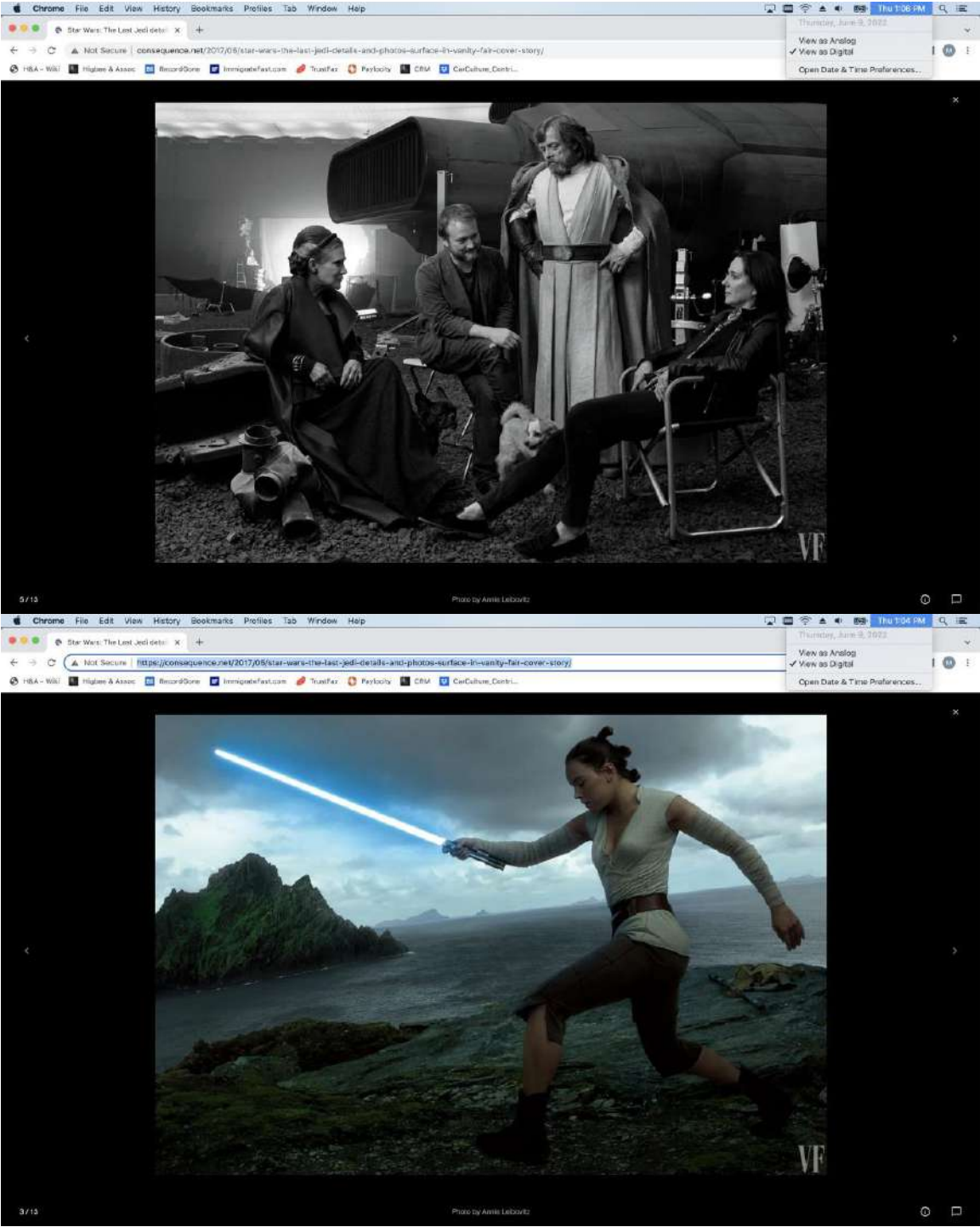
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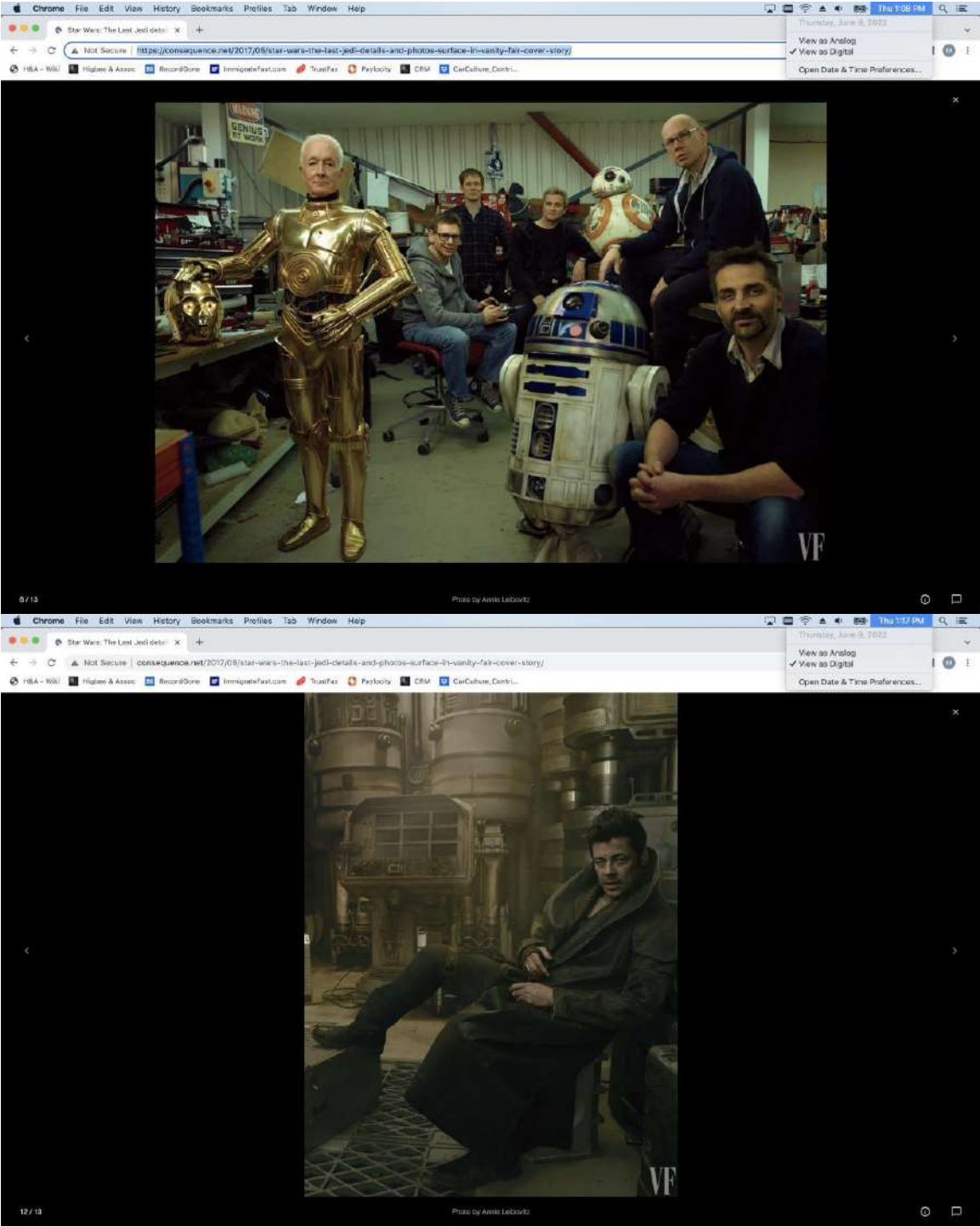
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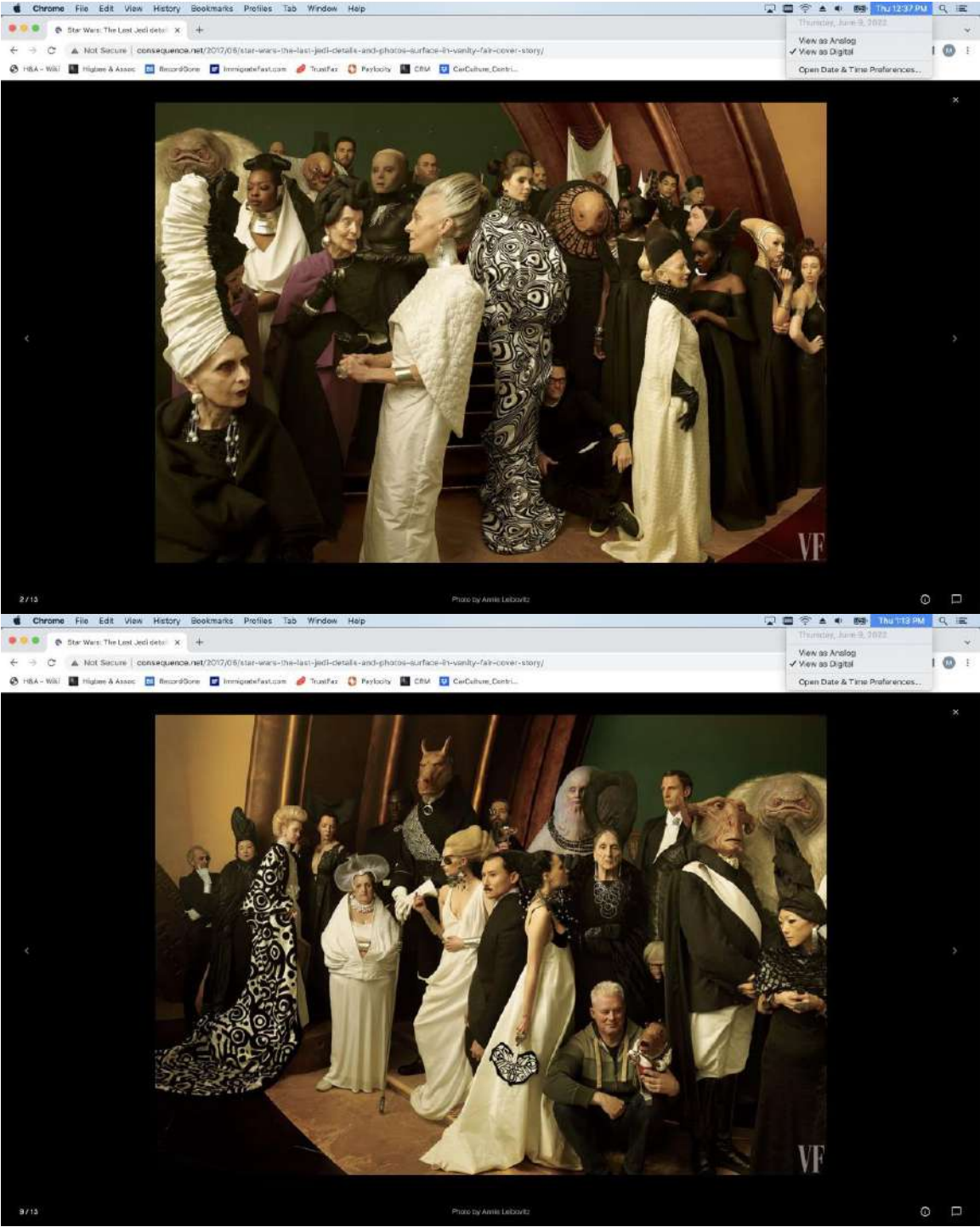


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Star Wars: The Rise of Skywalker details and photos surface in new Vanity Fair cover story

The roles of Keri Russell and Richard E. Grant have been confirmed and much, much more



Star Wars: The Rise of Skywalker (Lucasfilm), photo by Annie Leibovitz

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[Michael Roffman](#)

May 22, 2019 | 10:23am ET

You know the drill: another [Star Wars](#) movie, another preview.

Like [2015's The Force Awakens](#) and [2017's The Last Jedi](#) before it, [The Rise of Skywalker](#) has been given [the cover story treatment](#) by *Vanity Fair*, complete with first-look photos by Annie Leibowitz and a smuggler's bounty of info ahead of the sequel's December 19th release.

Of course, with this being the final chapter in the Skywalker saga, Lucasfilm and director J.J. Abrams are naturally more tight-lipped than ever. However, they've let loose a number of exciting details, especially a few key casting connections that have kept fans in the darkness for nearly a year.

Related Video

For starters, we finally know that [Keri Russell](#) will be playing the masked Zorri Bliss. Details surrounding Bliss remain scarce, though her rogue character is pictured below in the Thieves' Quarter of the snow-dusted world Kijimi, which we likely got a glimpse of in the teaser trailer.

(Ranking: [Every Star Wars Movie and TV Series From Worst to Best](#))

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On a similar note, we also know that recent Academy Award nominee [Richard E. Grant](#) will be playing Allegiant General Pryde, and you can see him seated next to General Hux ([Domhnall Gleeson](#)) aboard Kylo Ren's ([Adam Driver](#)) destroyer. Here's hoping Grant gives Gleeson some venom.

A few other highlights included confirmation that the Knights of Ren will make an appearance (in fact, that's Kylo mowing 'em down in the trailer), that the story will take place a year after *The Last Jedi*, [Billie Lourd](#) will share a scene with her late mother [Carrie Fisher](#), and that the ever long conflict between the Jedi and Sith will reportedly come to an end.


(Read: [IX Takeaways from the Star Wars: The Rise of Skywalker Teaser Trailer](#))


Abrams also digressed on how he felt he had more creative freedom this time around. "Working on nine, I found myself approaching it slightly differently," he said, adding: "It felt slightly more renegade; it felt slightly more like, you know, Fuck it, I'm going to do the thing that feels right because it does, not because it adheres to something."


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The hype is strong with this one. Below, take a look at the handful of photos — you'll likely save a few for your desktop, especially that stormy battle between Kylo and Rey — and revisit the teaser trailer shortly after.


 Knights of Ren in Star Wars: The Rise of Skywalker


 General Hux (Domhnall Gleeson) and Allegiant General Pryde (Richard E. Grant) in Star Wars: The Rise of Skywalker


 Finn and Jannah in Star Wars: The Rise of Skywalker


 C-3PO and BB-8 in Star Wars: The Rise of Skywalker


 Vanity Fair Cover Story, Star Wars: The Rise of Skywalker


 Kylo vs. Rey in Star Wars: The Rise of Skywalker

 Keri Russell, Zorri Bliss, The Rise of Skywalker

 Luke Skywalker in The Rise of Skywalker

 Rey on set of Star Wars: The Rise of Skywalker

 Aki-Aki in Star Wars: The Rise of Skywalker

 Lando Calrissian (Billy Dee Williams), Poe Dameron (Oscar Isaac), Chewbacca, D-O, and BB-8 in the Millennium Falcon in Star Wars: The Rise of Skywalker

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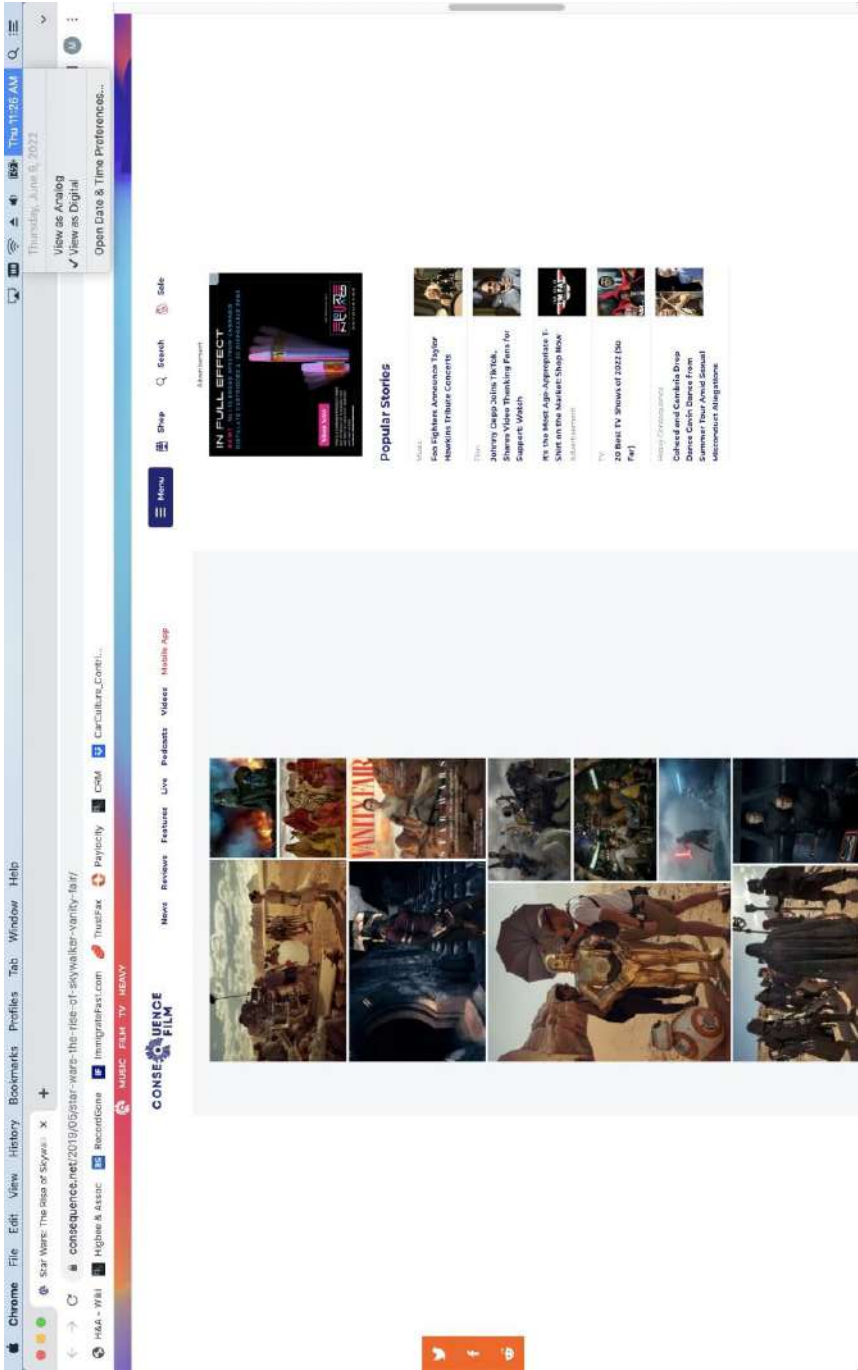


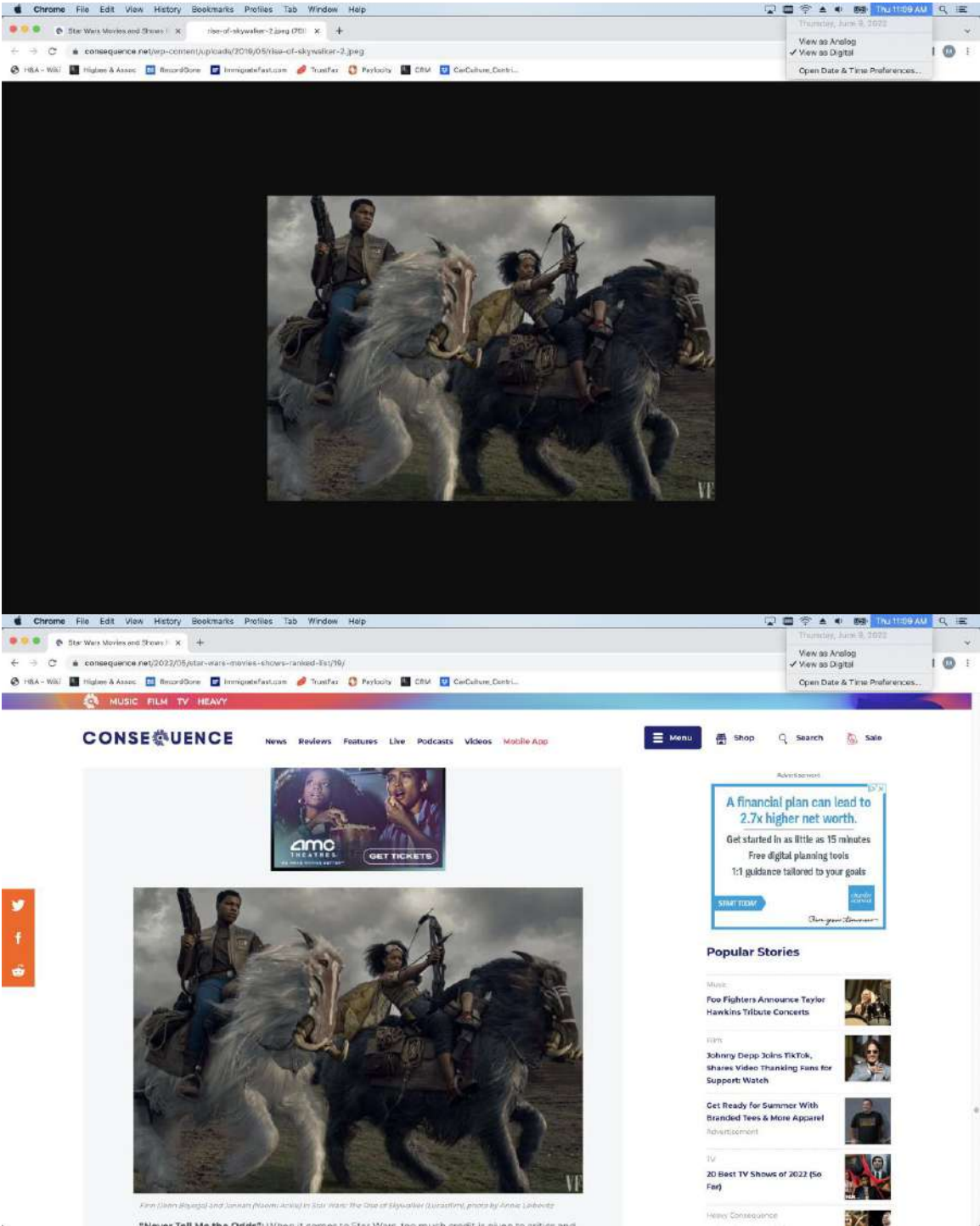
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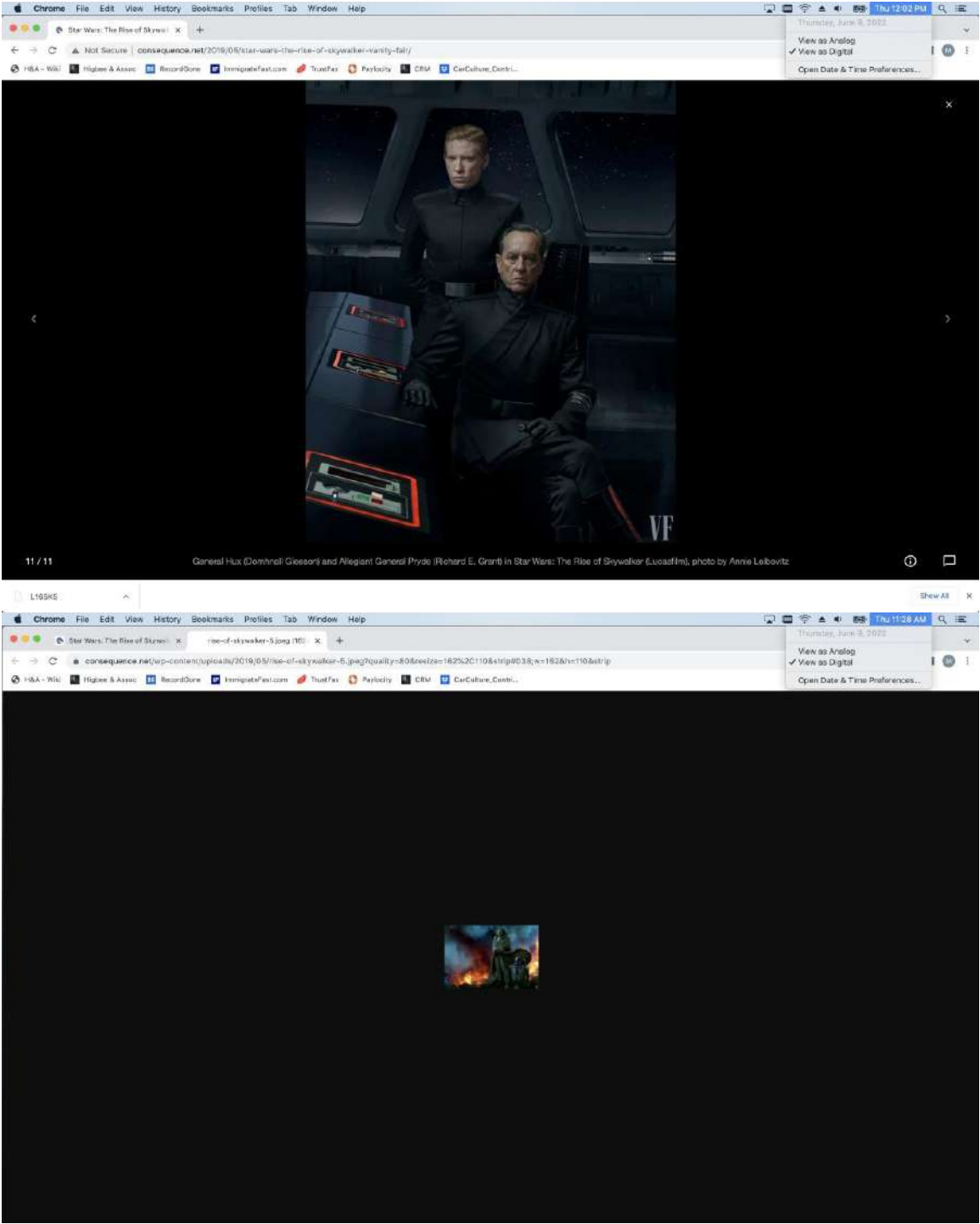
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Lando Calrissian (Billy Dee Williams), Poe Dameron (Oscar Isaac), Chewbacca (D-O), and BB-8 in Star Wars: The Rise of Skywalker (Lucasfilm, photo by Jenna Lobovitz)

What About Lando? Absolutely beautiful. He truly belongs among the clouds. [Billy Dee Williams](#) slides right back under the cape as the smooth-talking General, and his few scenes are more affecting than just remedial fan service.

The Verdict: *The Rise of Skywalker* was never going to be perfect, and neither was this foot of this galaxy started with screenwriter Michael Arndt.

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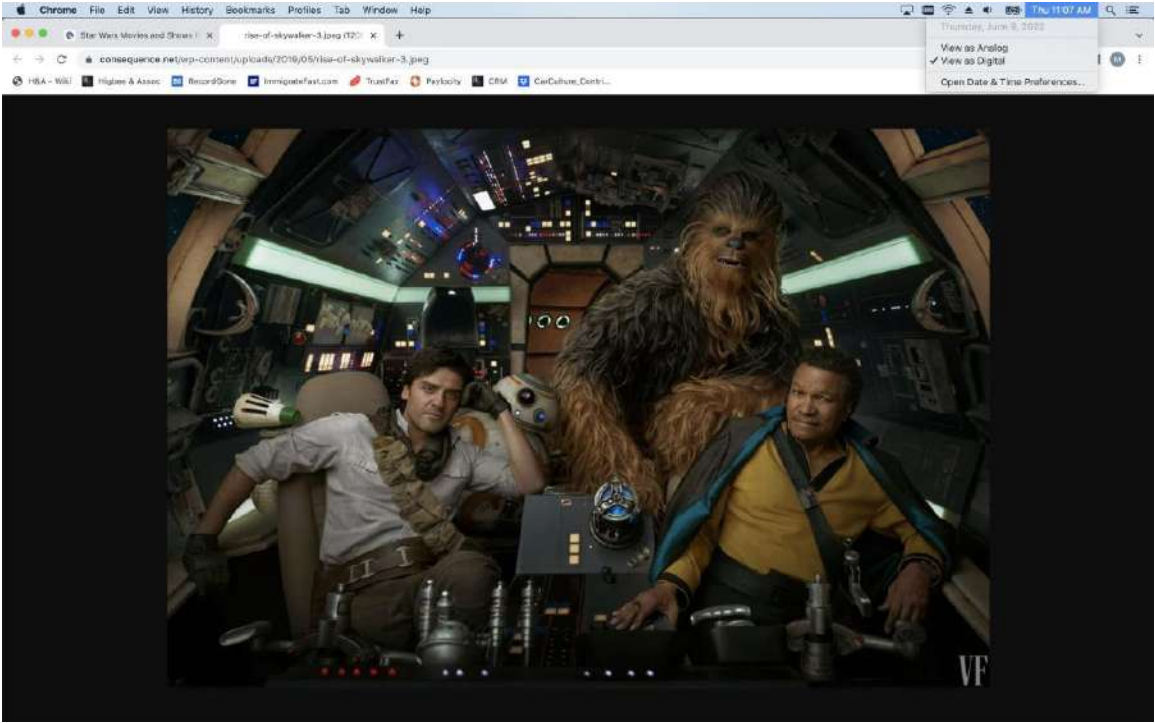
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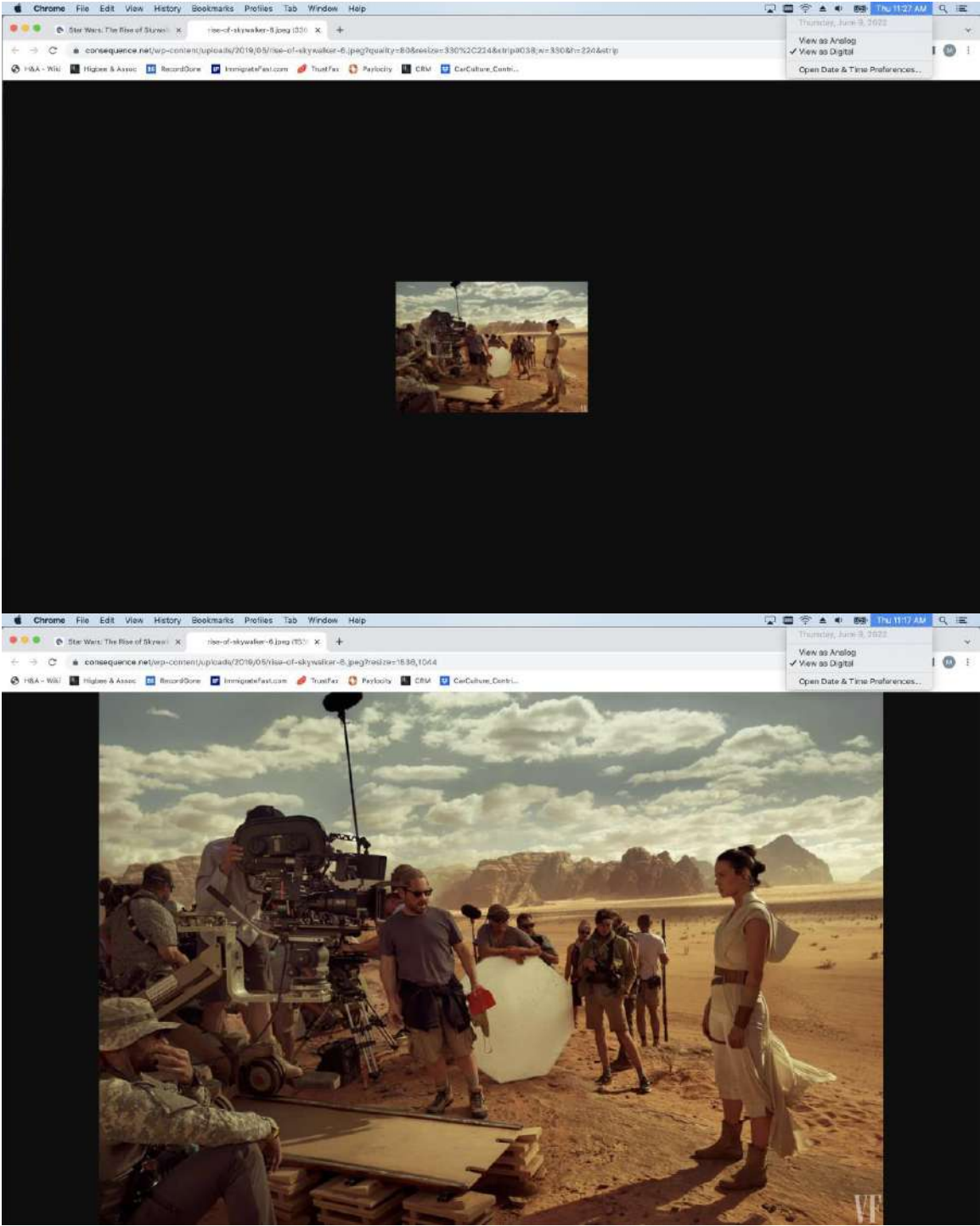
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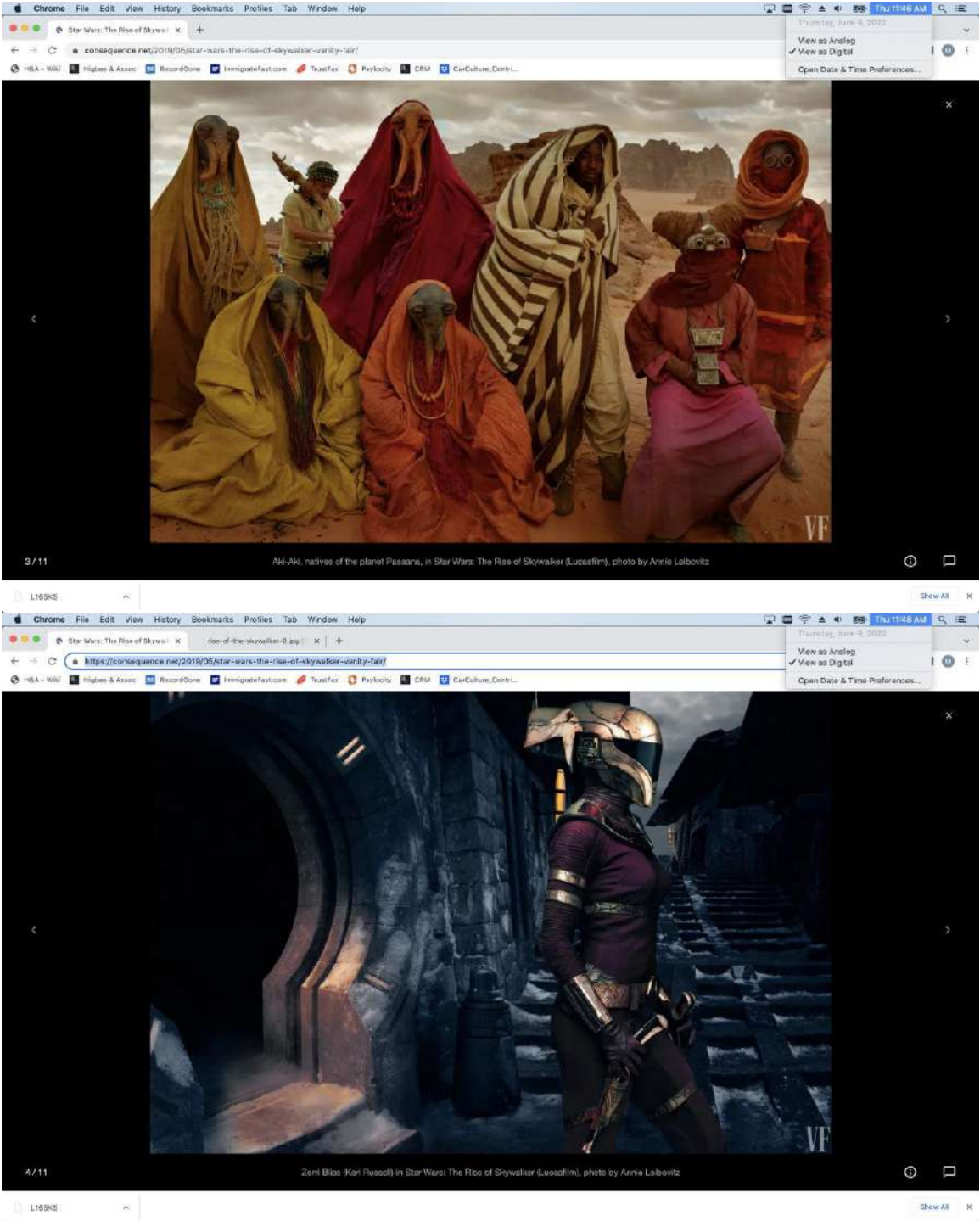
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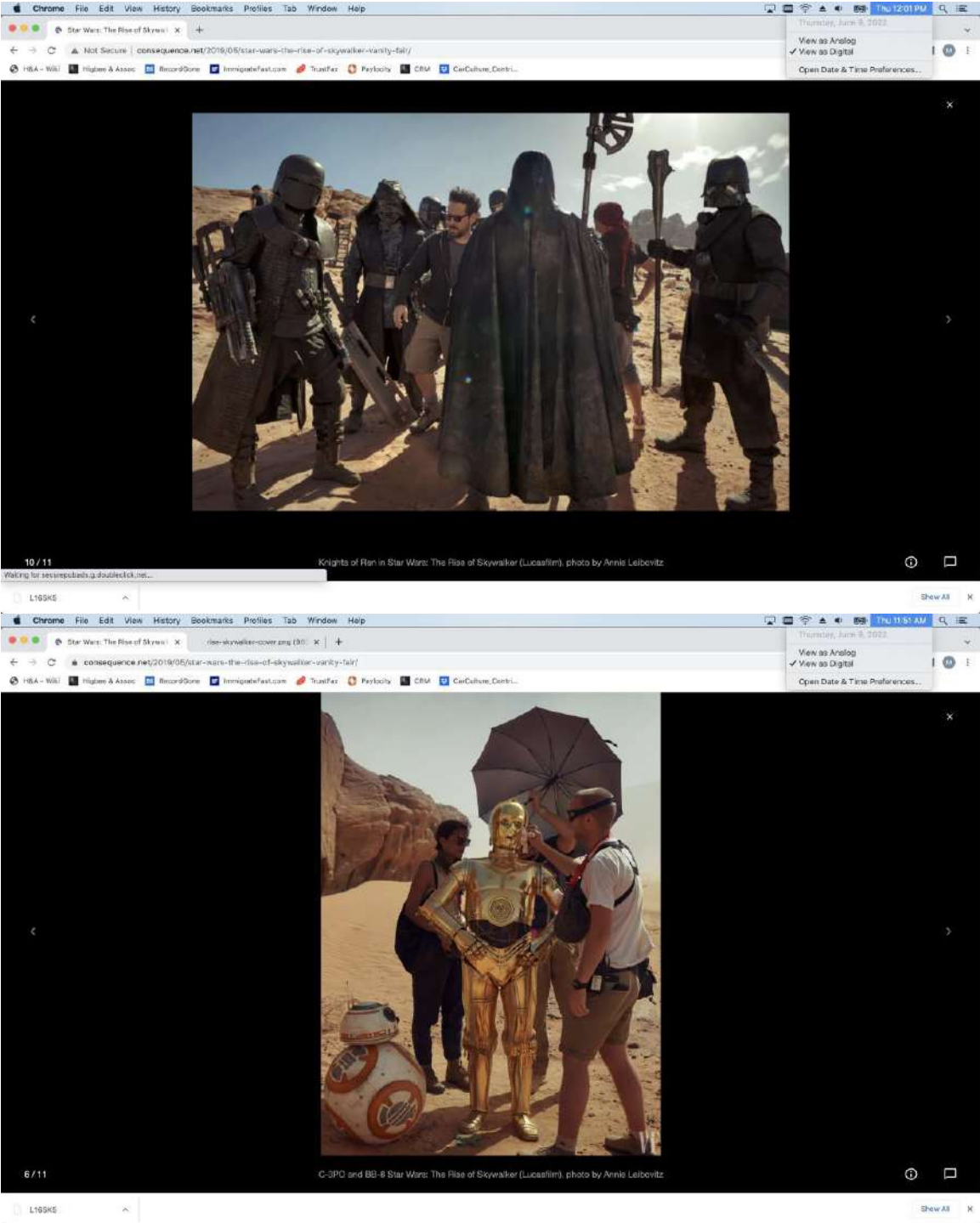
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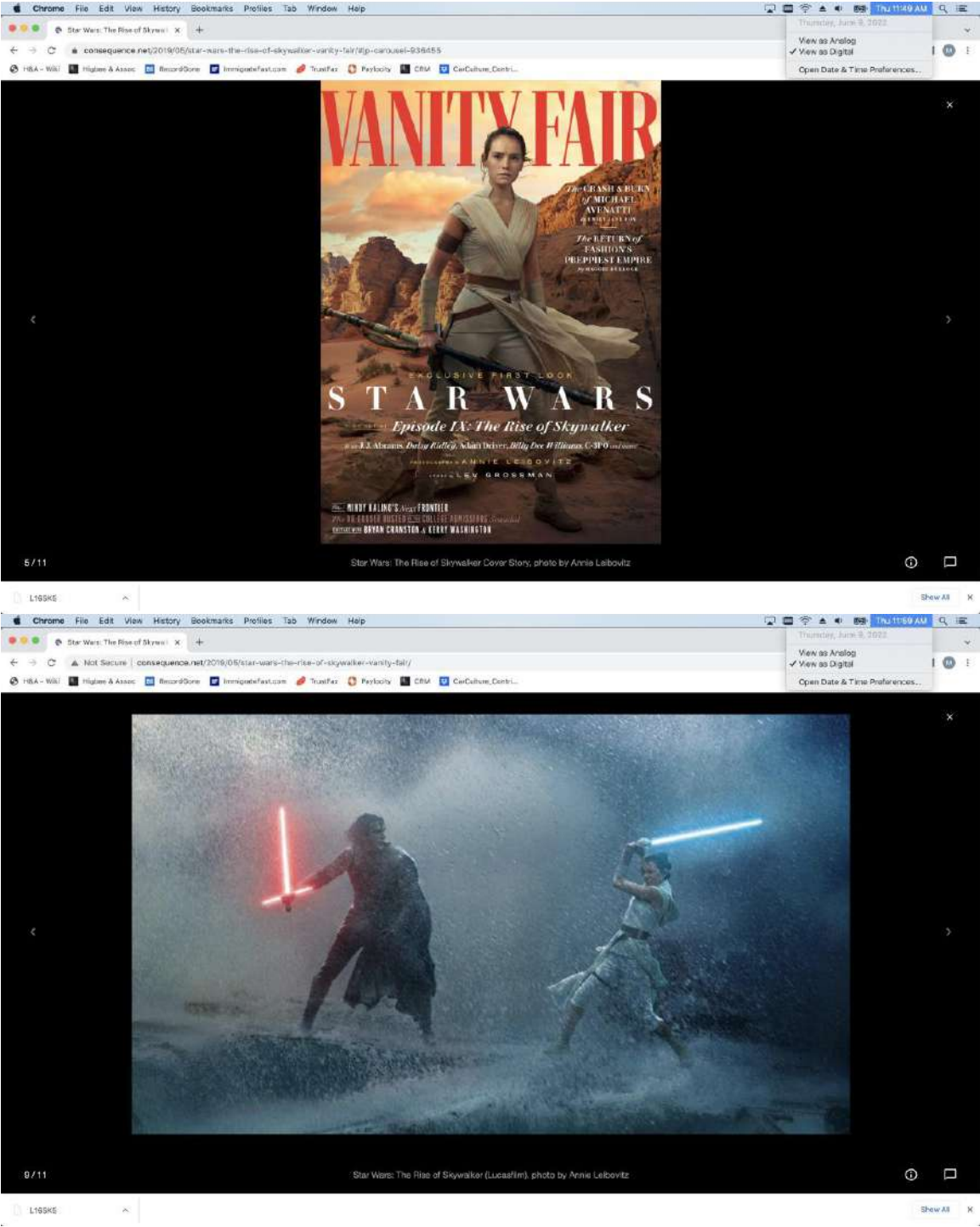
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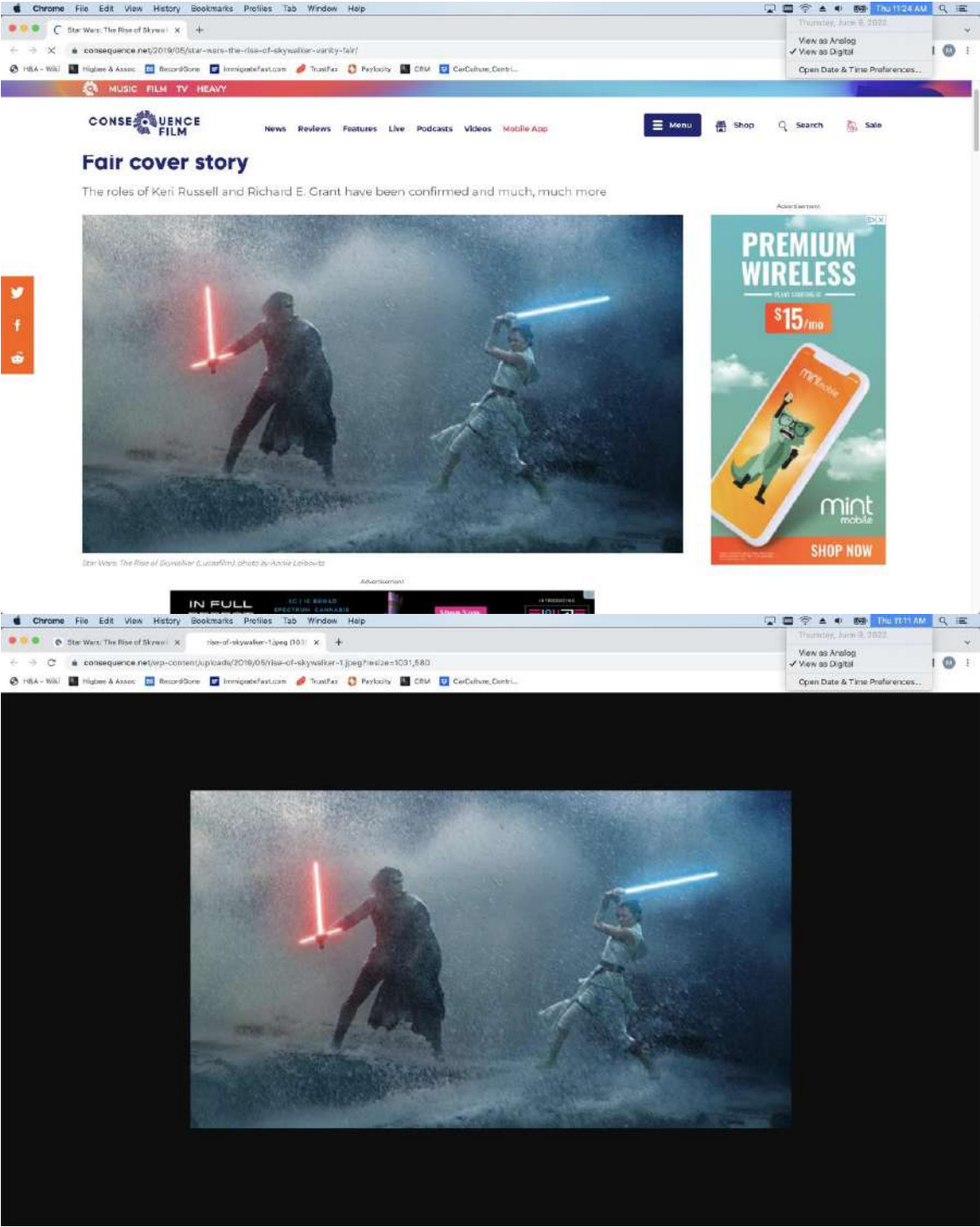


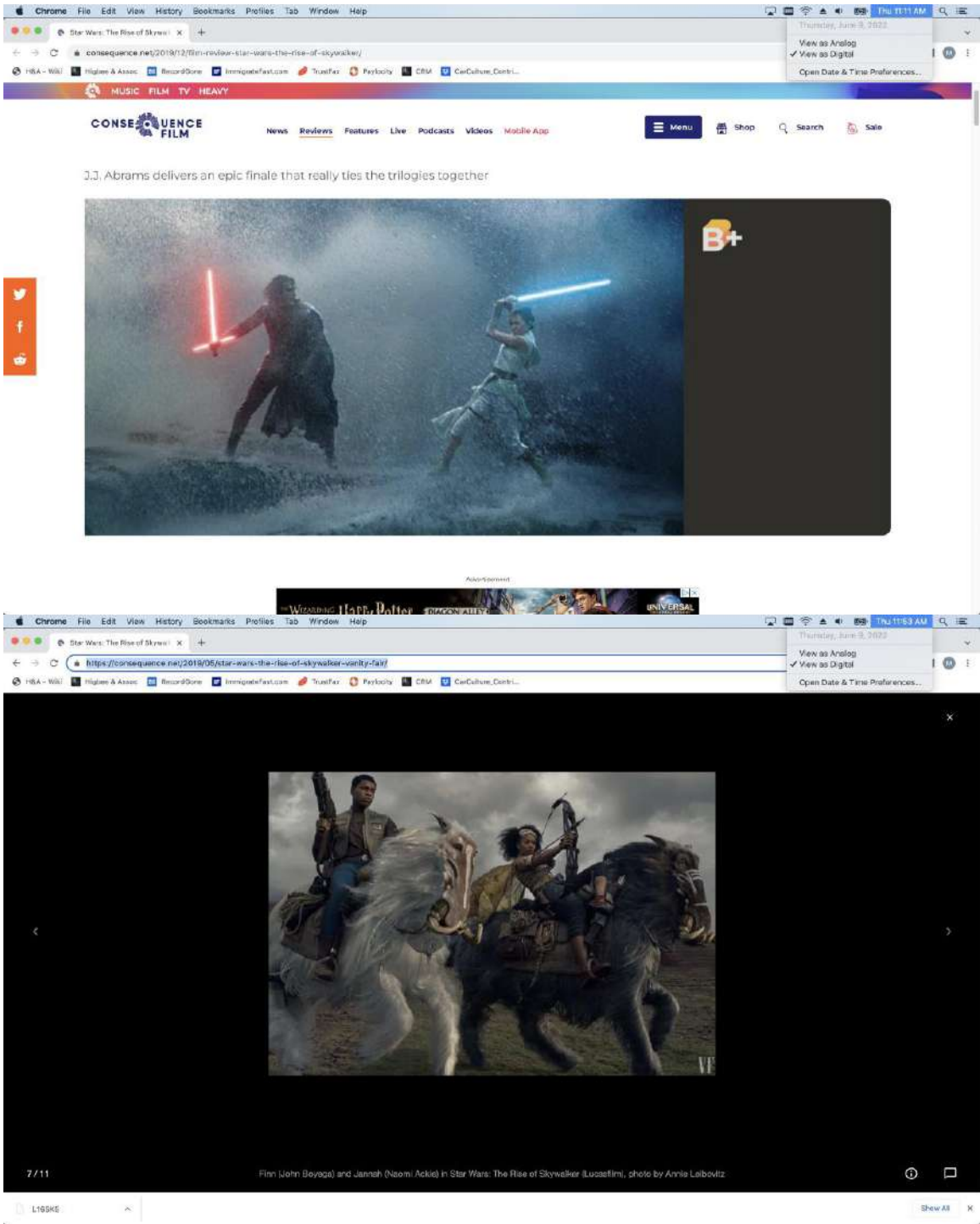












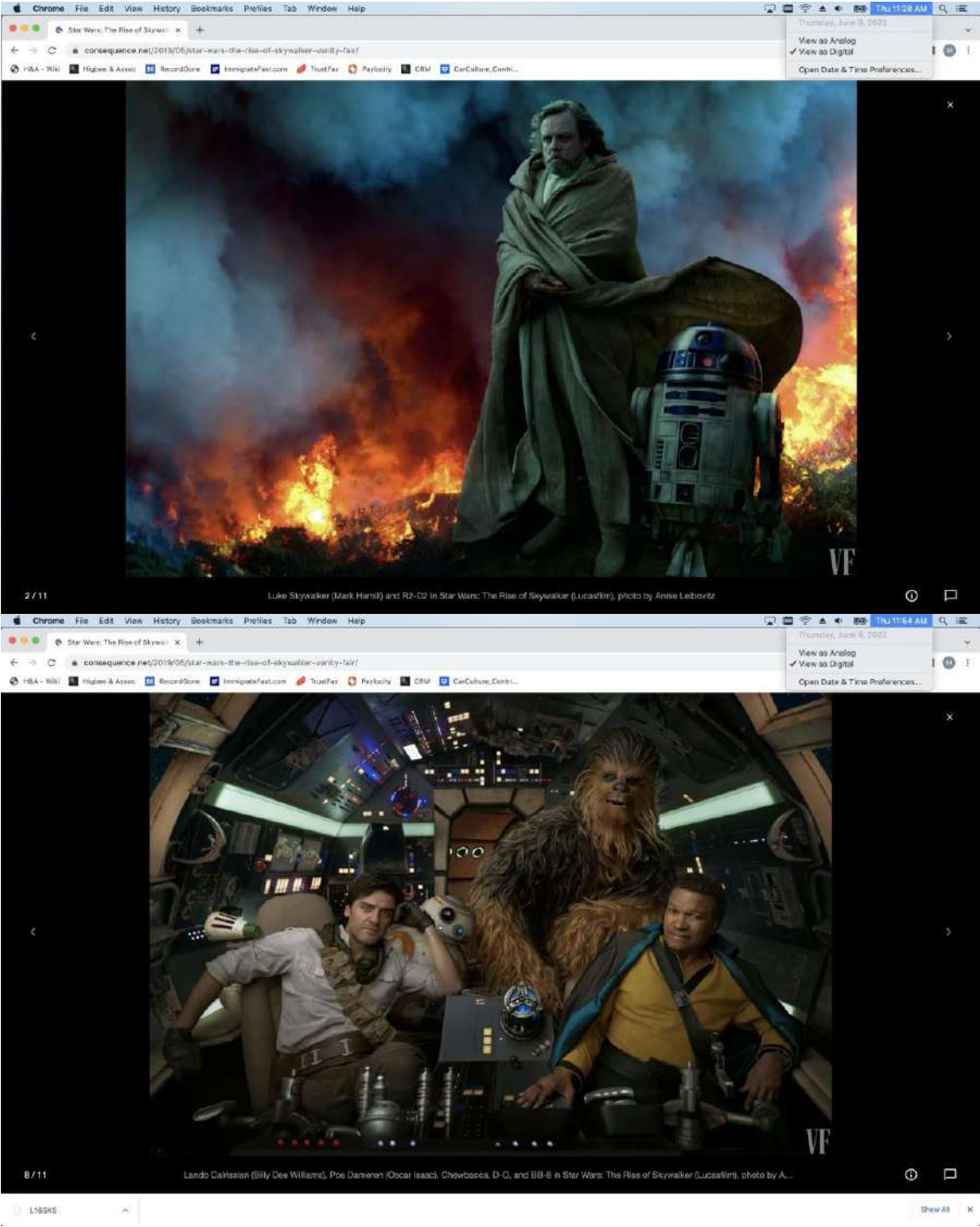


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CONSEQUENCE MEDIA GROUP
INC., and DOES 1 through 10 inclusive,

Defendants.

Case No. **9:23-cv-80488**

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1. This is a civil action seeking damages and injunctive relief for copyright infringement under the Copyright Act of the United States, 17 U.S.C. § 101 *et seq.*

2. This Court has subject matter jurisdiction over Plaintiff's claims for copyright infringement pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

3. This court has personal jurisdiction over Defendant because Defendant's acts of infringement complained of herein occurred in the state of Florida and the United States, Defendant's acts of infringement were directed towards the state of Florida and the United States, Defendant caused injury to Plaintiff within the state of Florida and the United States, and Defendant has a physical presence in the state of Florida and the United States.

4. Venue in this judicial district is proper under 28 U.S.C. § 1391(c) and 1400(a) in that this is the judicial district in which a substantial part of the acts and omissions giving rise to the claims occurred.

PARTIES

5. Plaintiff Great Bowery, Inc. d/b/a Trunk Archive is a Delaware

Corporation, duly organized by law with a principal place of business in New York.

6. Defendant Consequence Sound LLC (“CS”) is an Illinois limited liability company with a principal place of business at 5301 N. Federal Hwy Ste 150, Boca Raton Fl, 33487.

7. Defendant Consequence Media Group Inc (“CMG”) is a Delaware corporation with a principal place of business at 5301 N. Federal Hwy Ste 150, Boca Raton Fl, 33487.

8. Plaintiff is unaware of the true names and capacities of the Defendants sued herein as DOES 1 through 10, inclusive, and for that reason, sues such Defendants under such fictitious names. Plaintiff is informed and believes and on that basis alleges that such fictitiously named Defendants are responsible in some manner for the occurrences herein alleged, and that Plaintiff’s damages as herein alleged were proximately caused by the conduct of said Defendants. Plaintiff will seek to amend the complaint when the names and capacities of such fictitiously named Defendants are ascertained. As alleged herein, “Defendant” shall mean all named Defendants and all fictitiously named Defendants.

FACTUAL ALLEGATIONS

9. Trunk Archive is a full-service photography licensing agency representing some of the most prominent photographers and iconic images in the world.

10. Trunk Archive’s catalogue features imagery from hundreds of prominent artists and designers that are available for license.

11. One of Trunk Archive’s most prominent artists is American portrait photographer Annie Leibovitz (“Leibovitz”).

12. Leibovitz is one of the world’s best known and most accomplished portrait photographers. She is primarily known for her celebrity portraiture and her

work has been featured on numerous album covers and magazines.

13. Her work has been exhibited in prominent galleries and museums, including the Smithsonian Institute's National Portrait Gallery in Washington, DC.

14. In 2014, Annie Leibovitz was invited to the set of *Star Wars Episode VII* where she was granted exclusive access to photograph images of the cast and crew of *Star Wars Episode VII* for the June 2015 issue of *Vanity Fair Magazine*.

15. In June 2015, 7 of Leibovitz' photographs of the cast and crew of *Star Wars Episode VII* were published in *Vanity Fair Magazine* (the "Episode VII Photographs") with a "VF" watermark at the bottom corner and the caption "PHOTOGRAPH BY ANNIE LEIBOVITZ" for each photograph. See <https://www.vanityfair.com/hollywood/photos/2015/05/star-wars-the-force-awakens-photos-annie-leibovitz>.

16. Leibovitz registered the Episode VII Photographs with the United States Copyright Office under registration certificate VA 2-056-929.

17. Attached hereto as Exhibit A are true and correct copies of the original Episode VII Photographs.

18. In 2016, Leibovitz was invited to the set of *Star Wars Episode VIII* where she was granted exclusive access to photograph images of the cast and crew of *Star Wars Episode VIII* for the June 2017 issue of *Vanity Fair Magazine*.

19. In 2017, 13 of Leibovitz' photographs of the cast and crew of *Star Wars Episode VII* were published in *Vanity Fair Magazine* (the "Episode VIII Photographs") with a "VF" watermark at the bottom corner and the caption "PHOTOGRAPH BY ANNIE LEIBOVITZ" for each photograph. See <https://www.vanityfair.com/hollywood/photos/2017/05/star-wars-the-last-jedi-portraits-annie-leibovitz>.

20. Leibovitz registered the Episode VIII Photographs with the United States Copyright Office under registration certificate VA 2-111-252.

21. Attached hereto as Exhibit B are true and correct copies of the original Episode VIII Photographs.

22. In 2018 and 2019, Leibovitz was invited to the set of *Star Wars Episode IX* where she was granted exclusive access to photograph images of the cast and crew of *Star Wars Episode IX* for the June 2019 of *Vanity Fair Magazine*.

23. In June 2019, 11 of Leibovitz' photographs of the cast and crew of *Star Wars Episode IX* were published in *Vanity Fair Magazine* (the "Episode IX Photographs") with a "VF" watermark at the bottom corner and the caption "PHOTOGRAPH BY ANNIE LEIBOVITZ" for each photograph. See <https://www.vanityfair.com/hollywood/2019/05/star-wars-cover-story>.

24. Leibovitz registered the Episode IX Photographs with the United States Copyright Office under registration certificate VA 2-192-380.

25. Attached hereto as Exhibit C are true and correct copies of the original Episode IX Photographs.

26. The Episode VII Photographs, Episode VII Photographs, and Episode IX Photographs will collectively be referred to as the "Star Wars Photographs"

27. Defendant Consequence Sound LLC is a news and entertainment media company that provides extensive coverage of movies, television, and other pop culture new items on its website and social media websites.

28. Defendant Consequence Media Group Inc. is a media engagement company that partners with major brands to create digital user engagement across its websites.

29. On information and belief, Defendant CS and Defendant CMG (collectively, the "Defendants") are the owners, operators, and managers of the website www.consequence.net ("Defendants' Website").

30. On or about June 6, 2022, Trunk Archive discovered Leibovitz' Star Wars Photographs published on Defendant's Website in posts titled "Details for

Stars Wars The Force Awakens Surface in Vanity Fair Shoot”; “Star Wars The Last Jedi Details and Photos Surface in Vanity Fair Cover Story”; “Star Wars The Rise of Sky Walker Vanity Fair”; and “Film Review: Star Wars The Rise of Skywalker” (“Infringing Posts”).

31. Attached hereto as Exhibit D is a true and correct screenshot of the Infringing Posts on Defendant’s Website.

32. Trunk Archive has never at any point given Defendants a license or other permission to display, distribute or otherwise use the Star Wars Photographs on the Defendants’ Website or any other website or platform.

33. Defendants (including its employees, agents, contractors or others over whom it has responsibility and control) copied and uploaded the Star Wars Photographs to the Defendants’ Website without Trunk Archive’s consent or authorization

34. Soon after discovering the Defendants’ infringements of the Star Wars Photographs, Trunk Archive, through counsel sent a letter to the Defendants at their principal place of business in Florida, demanding Defendants immediately cease and desist use of the Star Wars Photographs and make reasonable compensation to Trunk Archive for Defendants’ past and ongoing violations of the copyrights.

35. Trunk Archive, through counsel, subsequently made no less than 13 additional attempts to contact and resolve the dispute with Defendants by email, phone, and traditional mail.

36. Defendants did not respond to Trunk Archive’s attempts to resolve the dispute.

37. On information and belief, Defendants’ use of the Star Wars Photographs was deliberate and willful because they knew or should have known that they did not have a license to use the Star Wars Photographs and Defendants

were aware of the source of the Star Wars Photographs due to the watermarks on each image and the Defendants' own reference to *Vanity Fair Magazine* in each of the Infringing Posts.

**CAUSE OF ACTION
COPYRIGHT INFRINGEMENT
17 U.S.C. § 101 *et seq***

38. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

39. Plaintiff did not consent to, authorize, permit, or allow in any manner the said use of the unique and original Star Wars Photographs.

40. Plaintiff is informed and believes and thereon alleges that the Defendants willfully infringed upon the copyrighted Star Wars Photographs in violation of Title 17 of the U.S. Code, in that they used, published, communicated, posted, publicized, and otherwise held out to the public for commercial benefit, the original and unique Star Wars Photographs without Plaintiff's consent or authority, by using them in the Infringing Posts.

41. As a result of Defendants' violations of Title 17 of the U.S. Code, Plaintiff is entitled to any actual damages pursuant to 17 U.S.C. § 504(b), or statutory damages in an amount up to \$150,000 pursuant to 17 U.S.C. § 504(c).

42. As a result of the Defendant's violations of Title 17 of the U.S. Code, the court in its discretion may allow the recovery of full costs as well as reasonable attorney's fees and costs pursuant to 17 U.S.C § 505 from Defendants.

43. Plaintiff is also entitled to injunctive relief to prevent or restrain infringement of his copyright pursuant to 17 U.S.C. § 502.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- For a finding that Defendants infringed Plaintiff's copyright interest

in the Star Wars Photographs by copying, displaying, and distributing it without a license or consent;

- For an award of actual damages and disgorgement of all of profits attributable to the infringement as provided by 17 U.S.C. § 504 in an amount to be proven or, in the alternative, at Plaintiff's election, an award for statutory damages against Defendants in an amount up to \$150,000 for each infringement pursuant to 17 U.S.C. § 504(c), whichever is larger;
- For an injunction preventing Defendants from further infringement of all copyrighted works of the Plaintiff pursuant to 17 U.S.C. § 502;
- For costs of litigation and reasonable attorney's fees against Defendants pursuant to 17 U.S.C. § 505;
- For pre judgment interest as permitted by law; and
- For any other relief the Court deems just and proper.

Dated: March 29, 2023

Respectfully submitted,

/s/ Melissa A. Higbee
Melissa A. Higbee, Esq.
FL State Bar No. 62465
HIGBEE & ASSOCIATES
1504 Brookhollow Dr., Ste 112
Santa Ana, CA 92705-5418
(714) 617-8373
(714) 597-6729 facsimile
mclark@higbeeassociates.com
Attorney for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff Trunk Archive hereby demands a trial by jury in the above matter.

Dated: March 29, 2023

Respectfully submitted,

/s/ Melissa A. Higbee
Melissa A. Higbee, Esq.
FL State Bar No. 62465
HIGBEE & ASSOCIATES
1504 Brookhollow Dr., Ste 112
Santa Ana, CA 92705-5418
(714) 617-8373
(714) 597-6729 facsimile
mclark@higbeeassociates.com
Attorney for Plaintiff

Exhibit “37”

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Great Bowery Inc. d/b/a Trunk Archive,

Plaintiff,

v.

Consequence Sound LLC, Consequence Media
Group Inc. *et al.*,

Defendants.

Civil Action No.: 9:23-cv-80488-RLR

DEFENDANTS' ANSWER

Defendants Consequence Sound LLC ("Consequence Sound") and Consequence Media Group Inc. ("Consequence Media") (each a "Defendant" and together the "Defendants"), by and through their undersigned counsel, denies each and every allegation made in the Complaint filed by Plaintiff Great Bowery Inc. ("Plaintiff") except as admitted or qualified as follows:

JURISDICTION AND VENUE

1. Admitted.
2. Admitted.
3. Admitted in part and denied in part. Admitted that the court has personal jurisdiction over Defendant but denied as to the remaining allegations of Paragraph 3.
4. Admitted in part and denied in part. Admitted that venue is proper in this judicial district but denied as to the remaining allegations of Paragraph 4.

PARTIES

5. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

6. Admitted.

7. Admitted.

8. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

FACTUAL ALLEGATIONS

9. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

10. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

11. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

12. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

13. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

14. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

15. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

16. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

17. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

18. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

19. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

20. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

21. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

22. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

23. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

24. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

25. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

26. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

27. Admitted.

28. Admitted.

29. Admitted.

30. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

31. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

32. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

33. Denied.

34. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

35. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

36. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

37. Denied.

CAUSE OF ACTION
COPYRIGHT INFRINGEMENT
17 U.S.C. § 101 *et seq.*

38. Defendants repeat and incorporate by reference their answers to the allegations contained in the preceding paragraphs, as though set forth in full herein.

39. Defendants lack knowledge or information sufficient to form a belief as to this allegation and therefore deny the same.

40. Denied.

41. Denied.

42. Denied.

43. Denied.

WHEREFORE, Defendant prays for judgment in its favor and against Plaintiff.

AFFIRMATIVE DEFENSES

1. **Failure to State a Claim** - Plaintiff is not entitled to relief because Plaintiff has failed to state a claim upon which relief can be granted.
2. **Non-Actionable Fair Use** - Plaintiff is not entitled to relief because Defendants' alleged use of the subject photographs constitutes non-actionable fair use.

Respectfully submitted,

Dated: July 11, 2023

GEORGE FELDMAN McDONALD, PLLC

9897 Lake Worth Road, Suite #302
Lake Worth, Florida 33467
Telephone: (561) 232-6002
Toll Free: (833) FINDJUSTICE
(833) 346-3587
Fax: (888) 421-4173
E-Service: EService@4-justice.com

By: /s/ David J. George

DAVID J. GEORGE, ESQ.

Florida Bar Number: 898570
Email: DGeorge@4-Justice.com

ELIZABETH R. PARKER, ESQ.

Florida Bar Number: 0154059
Email: EParker@4-Justice.com

BRITTANY L. BROWN, ESQ.

Florida Bar Number: 105071
Email: BBrown@4-Justice.com

Anderson J. Duff (*pro hac vice* to be filed)

DUFF LAW PLLC
43-10 Crescent St. Ste. 1217
New York, New York 11101
(t) 646.450.3607
(e) ajd@hoganduff.com

CERTIFICATE OF SERVICE

I, David J. George, Esq., hereby state that I served the foregoing motion on Plaintiff via ECF on July 11, 2023.

/s/ David J. George, Esq.

Exhibit “38”

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Great Bowery Inc. d/b/a Trunk Archive,

Plaintiff,

v.

Consequence Sound LLC, Consequence Media
Group Inc. *et al.*,

Defendants.

**Defendants' Responses to Plaintiff's
First Set of Requests for Admission**

Civil Action No.: 9:23-cv-80488-RLR

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Defendants Consequence Sound LLC ("Consequence Sound") and Consequence Media Group Inc. ("Consequence Media") (Consequence Sound and Consequence Media are referred to herein collectively as "Consequence" or "Defendants") state the following as their responses to Plaintiff Great Bowery Inc.'s ("Plaintiff") First Set of Requests for Admission to Consequence (each a "Request" and together the "Requests") subject to the general and specific objections below:

PRELIMINARY STATEMENT

Consequence's responses to Plaintiff's Requests are based upon the investigation conducted in the time available since service of the Requests. Consequence's responses are based upon information now known to Consequence that Consequence believes is relevant to the subject matter addressed in the Requests. In the future, Consequence may acquire information or discover information currently in their possession bearing upon these Requests and their responses thereto. Without in any way obligating themselves to do so, Consequence reserves the right to: (a) make subsequent revisions or amendments to their responses based upon any information, evidence, documents, facts, or things that hereafter may be discovered, or the

relevance of which hereafter may be discovered; and (b) produce, introduce, or rely upon such subsequently acquired or discovered information, evidence, documents, facts, or things at trial or in any pretrial proceedings held herein.

GENERAL OBJECTIONS

Specific objections to each Request are, where applicable, stated in the responses set forth below. In addition to those specific objections, Consequence states the following general objections to each and every Request propounded by Plaintiff and set forth below:

1. Consequence objects to Plaintiff's Requests and Definitions to the extent they purport to impose requirements or obligations on Defendants that are inconsistent with or beyond those specifically contained in the Federal Rules of Civil Procedure and/or the Local Rules for the United States District Court for the Southern District of Florida.

2. Consequence objects to Plaintiff's Requests to the extent they call for information that is protected by or subject to the attorney-client privilege, the attorney work product privilege, and/or any other applicable privilege or protection against disclosure.

3. Consequence objects to Plaintiff's Requests to the extent they call for information that is cumulative or duplicative of information already known to Plaintiff or available to Plaintiff from its own files or from public sources.

4. Consequence objects to Plaintiff's Requests to the extent they are duplicative or cumulative of another Request or request information obtainable by Plaintiff from another source that is more convenient, less burdensome, or less expensive pursuant to Fed. R. Civ. P. 26(b)(2)(C)(i).

5. Consequence objects to Plaintiff's Requests to the extent they request information beyond the scope of Fed. R. Civ. P. 26(b)(1).

6. Consequence objects to Plaintiff's Requests to the extent they call for information the disclosure of which would violate the constitutional, statutory, or common law privacy rights of and third party.

7. Consequence objects to Plaintiff's Requests to the extent that they are overly broad, vague, unduly burdensome, abusive, and not reasonably calculated to lead to the discovery of admissible evidence.

8. Consequence objects to Plaintiff's Requests to the extent they seek information that is not proportional to the needs of the case in light of the parties' resources and the marginal import of the information sought in resolving relevant issues that are in dispute.

9. Consequence objects to Plaintiff's Requests to the extent they seek information concerning Consequence Media, which had no involvement with the subject matter of this case.

**SPECIFIC OBJECTIONS AND RESPONSES TO PLAINTIFF'S FIRST SET OF
REQUESTS FOR ADMISSION TO DEFENDANTS**

REQUEST FOR ADMISSION NO. 1:

Admit that YOU own the WEBSITE.

RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Admitted as to Consequence Sound and otherwise denied.

REQUEST FOR ADMISSION NO. 2:

Admit that YOU have the right and ability to control the WEBSITE.

RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Admitted as to Consequence Sound and otherwise denied.

REQUEST FOR ADMISSION NO. 3:

Admit that YOU have the right to review any content before it appears on the WEBSITE.

///

RESPONSE TO REQUEST FOR ADMISSION NO. 3:

Admitted as to Consequence Sound and otherwise denied.

REQUEST FOR ADMISSION NO. 4:

Admit that Michael Roffman is an employee of DEFENDANT.

RESPONSE TO REQUEST FOR ADMISSION NO. 4:

Denied.

REQUEST FOR ADMISSION NO. 5:

Admit that Michael Roffman was Editor-in-Chief of the WEBSITE from 2008 until 2021.

RESPONSE TO REQUEST FOR ADMISSION NO. 5:

Admitted.

REQUEST FOR ADMISSION NO. 6:

Admit that YOU have the right to cause any content that appears on the WEBSITE to be removed.

RESPONSE TO REQUEST FOR ADMISSION NO. 6:

Admitted as to Consequence Sound and otherwise denied.

REQUEST FOR ADMISSION NO. 7:

Admit that YOU authored the POSTS.

RESPONSE TO REQUEST FOR ADMISSION NO. 7:

Consequence admits that Michael Roffman authored the Posts.

REQUEST FOR ADMISSION NO. 8:

Admit that YOU did not purchase a license for the IMAGES.

///

RESPONSE TO REQUEST FOR ADMISSION NO. 8:

Admitted.

REQUEST FOR ADMISSION NO. 9:

Admit that YOU caused the IMAGES to be placed on the WEBSITE.

RESPONSE TO REQUEST FOR ADMISSION NO. 9:

Consequence admits that Michael Roffman placed the Images on the Website.

REQUEST FOR ADMISSION NO. 10:

Admit that YOU reviewed the POSTS before they appeared on the WEBSITE.

RESPONSE TO REQUEST FOR ADMISSION NO. 10:

Consequence admits that Michael Roffman reviewed the Posts before they appeared on the Website.

REQUEST FOR ADMISSION NO. 11:

Admit that the POSTS do not directly comment on or criticize the IMAGES.

RESPONSE TO REQUEST FOR ADMISSION NO. 11:

Denied.

REQUEST FOR ADMISSION NO. 12:

Admit that the IMAGES were not altered before appearing on the WEBSITE.

RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Denied.

REQUEST FOR ADMISSION NO. 13:

Admit that the IMAGES were downloaded from the Vanity Fair website.

RESPONSE TO REQUEST FOR ADMISSION NO. 13:

Admitted.

REQUEST FOR ADMISSION NO. 14:

Admit that YOU received advertising revenue from the POSTS.

RESPONSE TO REQUEST FOR ADMISSION NO. 14:

Consequence admits that Consequence Sound receives advertising revenue from ads placed on its Website and otherwise denies this Request.

REQUEST FOR ADMISSION NO. 15:

Admit that YOU caused the IMAGES to be removed from the WEBSITE.

RESPONSE TO REQUEST FOR ADMISSION NO. 15:

Admitted as to Consequence Sound and otherwise denied.

REQUEST FOR ADMISSION NO. 16:

Admit that YOU have authored content that appears on the WEBSITE.

RESPONSE TO REQUEST FOR ADMISSION NO. 16:

Admitted as to Consequence Sound and otherwise denied.

REQUEST FOR ADMISSION NO. 17:

Admit that the primary purpose of YOUR ownership of the WEBSITE is to gain a financial return.

RESPONSE TO REQUEST FOR ADMISSION NO. 17:

Consequence admits that one of Consequence Sounds purposes in owning the Website is financial gain and otherwise denied.

REQUEST FOR ADMISSION NO. 18:

Admit that YOU did not ask permission from Vanity Fair to use the Images in connection with the POSTS.

///

RESPONSE TO REQUEST FOR ADMISSION NO. 18:

Admitted as to Consequence Sound and otherwise denied.

REQUEST FOR ADMISSION NO. 19:

Admit that each of the IMAGES displayed in connection with the ARTICLE had the watermark “VF” on the bottom right corner.

RESPONSE TO REQUEST FOR ADMISSION NO. 19:

Denied.

Date: March 18, 2024
New York, New York

By:


Anderson J. Duff
DUFF LAW PLLC
353 Ocean Avenue Ste. 4E
New York, New York 11226
(t) 646.450.3607
(e) ajd@hoganduff.com

*Attorneys for Defendant
Consequence Sound LLC, and
Consequence Media Group Inc.*

CERTIFICATE OF SERVICE

I, Anderson J. Duff, hereby state that I served the foregoing responses to Plaintiff's First Requests for Admission on Plaintiff via email on March 18, 2024 to:

Melissa A. Higbee, Esq.
HIGBEE & ASSOCIATES
1504 Brookhollow Dr., Ste. 112
Santa Ana, California 92705-5418
(e) mclark@higbeeassociates.com

/Anderson J. Duff/
Anderson J. Duff

Exhibit “39”

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Great Bowery Inc. d/b/a Trunk Archive,

Plaintiff,

v.

Consequence Sound LLC, Consequence Media
Group Inc. *et al.*,

Defendants.

**Defendants' Responses to Plaintiff's
First Set of Interrogatories**

Civil Action No.: 9:23-cv-80488-RLR

Pursuant to Fed. R. Civ. P. § 33, Defendants Consequence Sound LLC ("Consequence Sound") and Consequence Media Group Inc. ("Consequence Media") (Consequence Sound and Consequence Media are referred to herein collectively as "Consequence" or "Defendants") state the following as their responses to Plaintiff Great Bowery Inc.'s ("Plaintiff") First Set of Interrogatories to Consequence (each an "Interrogatory" and together the "Interrogatories") subject to the general and specific objections below:

PRELIMINARY STATEMENT

Consequence's responses to Plaintiff's Interrogatories are based upon the investigation conducted in the time available since service of the Interrogatories. Consequence's responses are based upon information now known to Consequence that Consequence believes is relevant to the subject matter addressed in the Interrogatories. In the future, Consequence may acquire information or discover information currently in their possession bearing upon these Interrogatories and their responses thereto. Without in any way obligating themselves to do so, Consequence reserves the right to: (a) make subsequent revisions or amendments to their responses based upon any information, evidence, documents, facts, or things that hereafter may

be discovered, or the relevance of which hereafter may be discovered; and (b) produce, introduce, or rely upon such subsequently acquired or discovered information, evidence, documents, facts, or things at trial or in any pretrial proceedings held herein.

GENERAL OBJECTIONS

Specific objections to each Interrogatory are, where applicable, stated in the responses set forth below. In addition to those specific objections, Consequence states the following general objections to each and every Interrogatory propounded by Plaintiff and set forth below:

1. Consequence objects to Plaintiff's Interrogatories and Definitions to the extent they purport to impose requirements or obligations on Defendants that are inconsistent with or beyond those specifically contained in the Federal Rules of Civil Procedure and/or the Local Rules for the United States District Court for the Southern District of Florida.

2. Consequence objects to Plaintiff's Interrogatories to the extent they call for information that is protected by or subject to the attorney-client privilege, the attorney work product privilege, and/or any other applicable privilege or protection against disclosure.

3. Consequence objects to Plaintiff's Interrogatories to the extent they call for information that is cumulative or duplicative of information already known to Plaintiff or available to Plaintiff from its own files or from public sources.

4. Consequence objects to Plaintiff's Interrogatories to the extent they are duplicative or cumulative of another Interrogatory or request information obtainable by Plaintiff from another source that is more convenient, less burdensome, or less expensive pursuant to Fed. R. Civ. P. 26(b)(2)(C)(i).

5. Consequence objects to Plaintiff's Interrogatories to the extent they request information beyond the scope of Fed. R. Civ. P. 26(b)(1).

6. Consequence objects to Plaintiff's Interrogatories to the extent they call for information the disclosure of which would violate the constitutional, statutory, or common law privacy rights of and third party.

7. Consequence objects to Plaintiff's Interrogatories to the extent they comprise impermissible subparts seeking information about discrete subjects in violation of Fed. R. Civ. P. 33(a)(1).

8. Consequence objects to Plaintiff's Interrogatories to the extent that they are overly broad, vague, unduly burdensome, abusive, and not reasonably calculated to lead to the discovery of admissible evidence.

9. Consequence objects to Plaintiff's Interrogatories to the extent they seek information that is not proportional to the needs of the case in light of the parties' resources and the marginal import of the information sought in resolving relevant issues that are in dispute.

10. Consequence objects to Plaintiff's Interrogatories to the extent they seek information concerning Consequence Media, which had no involvement with the subject matter of this case.

SPECIFIC OBJECTIONS AND RESPONSES TO PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANTS

Each of the General Objections recited above is deemed incorporated into the responses set forth below. The inclusion of a specific objection in any response does not constitute and shall not be construed or deemed as a waiver of the objections not so listed.

INTERROGATORY NO. 1:

DESCRIBE IN DETAIL the factual basis for YOUR First Affirmative Defense.

RESPONSE TO INTERROGATORY NO. 1:

Consequence objects to this Interrogatory insofar as it seeks information from

Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states that Plaintiff has failed to state a claim upon which relief may be granted because Plaintiff does not own any exclusive right to the photographs in question.

INTERROGATORY NO. 2:

DESCRIBE IN DETAIL the factual basis for YOUR Second Affirmative Defense.

RESPONSE TO INTERROGATORY NO. 2:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states that the allegedly infringing post commented on the photographs in question, did not impact the market for the photographs, and used the photographs in a transformative manner.

INTERROGATORY NO. 3:

IDENTIFY the PERSON or PERSONS who authored the POSTS, including but not limited to the PERSONS who selected the IMAGES and caused them to be posted to the WEBSITE.

RESPONSE TO INTERROGATORY NO. 3:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence identifies: Michael Roffman.

INTERROGATORY NO. 4:

DESCRIBE IN DETAIL YOUR relationship to the PERSON or PEOPLE identified in the answer to Interrogatory No. 3.

RESPONSE TO INTERROGATORY NO. 4:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states that Michael Roffman served as Consequence Sound's editor in chief from 2008 until 2021. Consequence Media has no relationship with Roffman.

INTERROGATORY NO. 5:

DESCRIBE IN DETAIL YOUR policies regarding how content is selected, created, and published to the WEBSITE.

RESPONSE TO INTERROGATORY NO. 5:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states: Consequence Sound selects, creates, and publishes content based on its newsworthiness as determined by its editors.

INTERROGATORY NO. 6:

DESCRIBE IN DETAIL YOUR policy for licensing content that appears on the WEBSITE.

RESPONSE TO INTERROGATORY NO. 6:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states: Consequence Sound licenses photographs from Getty Images at a rate of \$13,200 per year for access to 1,000 photographs during that year. Consequence Sound also hires freelance photographers to create photographs

for use on the Website. Consequence Sound also uses photographs provided by publicists or talent representatives for use on the Website.

INTERROGATORY NO. 7:

IDENTIFY the source from where the IMAGES were originally downloaded.

RESPONSE TO INTERROGATORY NO. 7:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence identifies: Vanity Fair's website.

INTERROGATORY NO. 8:

IDENTIFY what steps YOU took to remove the IMAGES from the WEBSITE.

RESPONSE TO INTERROGATORY NO. 8:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states that an employee of Consequence Sound deleted the images from the server for the Website and took down the Posts.

INTERROGATORY NO. 9:

IDENTIFY the date that the POSTS first appeared on the WEBSITE.

RESPONSE TO INTERROGATORY NO. 9:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence identifies: (1) *Details for Star Wars: The Force Awakens surface in Vanity Fair shoot – watch* first appeared on the Website on May 4, 2015; (2) *Star Wars: The Last Jedi details and photos surface in Vanity Fair cover story* first

appeared on the Website on May 24, 2017; and (3) *Star Wars: The Rise of Skywalker details and photos surface in new Vanity Fair cover story* first appeared on May 22, 2019.

INTERROGATORY NO. 10:

DESCRIBE IN DETAIL the editorial process for content submitted for publication to the WEBSITE.

RESPONSE TO INTERROGATORY NO. 10:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states: content submitted to Consequence Sound is reviewed by its editors before being published on the Website.

INTERROGATORY NO. 11:

DESCRIBE IN DETAIL YOUR efforts to obtain licenses for the IMAGES at issue.

RESPONSE TO INTERROGATORY NO. 11:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states: Roffman believed that no license was needed.

INTERROGATORY NO. 12:

DESCRIBE IN DETAIL all sources of revenue for the WEBSITE from 2015 to present.

RESPONSE TO INTERROGATORY NO. 12:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Consequence objects to this interrogatory as overly broad as damages for the alleged

infringement may only be recovered for the preceding three years. Subject to and without waiver of any objections, Consequence states that at all relevant times Consequence Sound generated revenue from advertising, live events, sponsorship, and performance marketing.

INTERROGATORY NO. 13:

DESCRIBE IN DETAIL how each revenue source identified in Interrogatory No. 12 is tracked for the WEBSITE from 2015 to present.

RESPONSE TO INTERROGATORY NO. 13:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Consequence objects to this interrogatory as overly broad as damages for the alleged infringement may only be recovered for the preceding three years. Subject to and without waiver of any objections, Consequence states that at all relevant times Consequence Sound tracked its revenue using Quickbooks.

INTERROGATORY NO. 14:

DESCRIBE IN DETAIL the process by which an article is selected to appear on the WEBSITE.

RESPONSE TO INTERROGATORY NO. 14:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states: editors working for Consequence Sound select content based on its newsworthiness.

INTERROGATORY NO. 15:

DESCRIBE IN DETAIL YOUR ability to review content including but not limited to

photographs before appearing on the WEBSITE.

RESPONSE TO INTERROGATORY NO. 15:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence states: **editors for Consequence Sound review content prior to its publication on the Website.**

INTERROGATORY NO. 16:

Is YOUR response to each request for admission served concurrently with these interrogatories an unqualified admission? If not, for each response that is not an unqualified admission:

- (a) state the number of the request;
- (b) state all facts upon which YOU base YOUR response;
- (c) state the name, address, and telephone number of each PERSON who has knowledge of those facts; and
- (d) identify all DOCUMENTS and other tangible things that support YOUR response and state the name, address, and telephone number of the PERSON who has each document or thing.

RESPONSE TO INTERROGATORY NO. 16:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Consequence objects to this interrogatory as comprising impermissible subparts. Consequence further objects to this interrogatory insofar as the answers to Plaintiff's requests for admission speak for themselves. Consequence further objects to this interrogatory insofar as it asks

Consequence to identify documents and provide additional information about documents that it has or will produce.

INTERROGATORY NO. 17:

IDENTIFY each PERSON who assisted in the preparation of these responses.

RESPONSE TO INTERROGATORY NO. 17:

Consequence objects to this Interrogatory insofar as it seeks information from Consequence Media, which had no involvement with the subject matter of this action. Subject to and without waiver of any objections, Consequence identifies: Alex Young and Sajan Shiva.

As to the Objections:

Date: March 18, 2024
New York, New York

By:



Anderson J. Duff
DUFF LAW PLLC
353 Ocean Avenue Ste. 4E
New York, New York 11226
(t) 646.450.3607
(e) ajd@hoganduff.com

*Attorneys for Defendant
Consequence Sound LLC, and
Consequence Media Group Inc.*

Verification Statement

I, Alex Young, have read Plaintiff's first set of interrogatories to Defendants Consequence Sound LLC and Consequence Media Group Inc., and I am familiar with the contents of that document. I am an officer of Defendants, each a party to this action, and I am authorized to make this verification on behalf of each of them. With respect to any part of the Responses shown above that are within my own personal knowledge, I state that portion is true. All other matters contained therein are based on information gathered by others, and on that basis I am informed and believe and therefore state that such information is true. Defendants reserve the right to revise or further supplement their Responses if it becomes apparent that they contain errors or if more accurate or complete information becomes available.

I declare under penalty of perjury that the foregoing is true and accurate.

Date: March 18, 2024

As to the Answers:

By:



Alex Young

CERTIFICATE OF SERVICE

I, Anderson J. Duff, hereby state that I served the foregoing interrogatories on Plaintiff via email
on March 18, 2024 to:

Melissa A. Higbee, Esq.
HIGBEE & ASSOCIATES
1504 Brookhollow Dr., Ste. 112
Santa Ana, California 92705-5418
(e) mclark@higbeeassociates.com

/Anderson J. Duff/
Anderson J. Duff